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Monday, May 1, 1995

# **Journal of Proceedings**

*The Minutes of the*

## **Board of Supervisors**

City and County of San Francisco

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Volume 90

Number 17



\_\_\_\_\_  
Monday, May 1, 1995 - 2:00 p.m.  
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The Board of Supervisors of the City and County of San Francisco met in regular session on the above date with President Kevin Shelley presiding.

CALLING THE ROLL

The meeting was called to order at 2:07 p.m. On call of the roll, the following Supervisors were noted present:

Supervisors Alioto, Ammiano, Bierman, Hsieh, Kaufman, Leal, Migden, Shelley, Teng - 9.

Noted absent at first roll call:

Supervisors Hallinan, Kennedy - 2.

Quorum present.

Supervisor Hallinan was noted present at 2:09 p.m.

Supervisor Kennedy was noted present at 2:09 p.m.

COMMUNICATION

The Board received communication from the Mayor requesting the Board of Supervisors reconsider its action on the Resolution concerning contracting out the parking citation data entry services as follows:

April 24, 1995

Mr. John Taylor  
Clerk of the Board  
War Memorial Building  
401 Van Ness Avenue  
San Francisco, CA 94102

Dear Mr. Taylor:

In accordance with Charter Section 2.302, I am requesting that the Board of Supervisors reconsider the Proposition "J" Resolution (File 25-95-2) allowing the Department of Parking and Traffic to contract for parking citation data entry services. According to the Budget Analyst, Mr. Harvey Rose, the savings to the General Fund will be \$150,000 annually and there will be no lay-offs of personnel if this Resolution is approved.

The Department of Parking and Traffic took over the function of parking citation data entry in November, 1993 along with a number of other functions previously performed by the Municipal Court. As part of the transfer, 17 new SEIU positions were created to handle new duties required by law and the Department was able to accommodate employees laid off from other departments in its new Citation Division.

In March, 1994, the Controller determined that data entry of parking citations could be performed by a private contractor at a lower cost to the city than with city forces. The decision to investigate contracting this service was based on two factors: the increasing number of hand and wrist injuries resulting from old data entry equipment and the high cost of replacing equipment to prevent further injury. Specifically, the Department spent \$20,000 in fiscal year 1994-95 to purchase adjustable tables and chairs for each workstation and the cost to upgrade computer terminals to VDT ordinance standards will be an additional \$20,000.

In April, 1994, the Department met with SEIU Local 790 representative Lawanna Preston at which time she expressed her concerns regarding the continued employment of the data entry operators. She also indicated that Local 790 would not oppose the Department's request to contract the service if all employees were placed in alternative positions.

Since that time, the Department of parking and Traffic has placed all 10 data entry operators in other

SEIU represented positions within the department. Currently, the affected employees are working as 1404 Clerks and one is an 8214 Parking Control Officer. Through these efforts, these employees have faced no break in service to the city, are earning higher salaries, and have promotive opportunities they would not have had as 1720 Data Entry Operators.

If this Resolution is not approved, the Department will be forced to hire and train new data entry operators to fill the currently vacant position, or alternatively demote the existing groups of employees back to their previous positions. Additionally, the Department, on recommendation from the Blue Ribbon Task Force, has proposed to purchase hand-held automated ticket writers in fiscal year 1995-96 which will eliminate the need for manual data entry while reducing citation errors. If data entry is to be performed by City forces, these employees will be facing lay-offs in as few as six months after they are hired. By contracting data entry services, no lay-offs will be necessary and the contract will be simply phased out as hand-held ticket writers are phased in during the 1995-96 fiscal year.

Again, I urge you to reconsider the Proposition "J" Resolution allowing the Department of Parking and Traffic to contract for parking citation data entry services. No city employees will be laid off and the General Fund will be increased by \$150,000 annually.

Sincerely,

Frank M. Jordan  
Mayor

Reconsideration by the Board

(Supervisor Teng dissenting in Committee.)

Consideration Continued

[Contract Out, Parking Citation Data Entry]  
Resolution concurring with the Controller's certification that parking citation data entry services for the Department of Parking and Traffic Citation Division can be practically performed by a private contractor for a lower cost than similar services performed by City and County employees. (Department of Parking and Traffic)

File 25-95-2, Resolution No.

(April 17, 1995 - Refused Adoption by Board of Supervisors;  
April 25, 1995 - Returned by Mayor with request for reconsideration.  
May 22, 1995 - Last Board meeting to act.)

The Clerk stated that under the rules of the Board, the Supervisors shall not reconsider the legislation until after the first meeting after the message is read to the Board. A motion to continue is in order.

Supervisor Kennedy, seconded by Supervisor Alioto, moved to continue consideration to May 8, 1995.

Motion to continue adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

CONSENT CALENDAR

Recommendations of Budget Committee

Finally Passed

[Appropriation, Rent Board]  
Ordinance appropriating \$44,718, Rent Board, Special Fund Revenue to salaries, materials and supplies, and services of other departments to allow the Rent Board to implement Proposition I and \$38,000 for the purchase of new equipment for fiscal year 1994-95. (Controller)

File 101-94-90, Ordinance No. 156-95

(Fiscal Impact.)

Finally passed.

[Appropriation, Mayor's Office]

Ordinance appropriating \$35,000, Mayor's Office, from the General Fund Reserve to non-personal services to provide funding for the Mobilization Against AIDS through the Community United Against Violence for fiscal year 1994-95. (Supervisor Alioto)

File 101-94-92, Ordinance No. 153-95

(Fiscal Impact.)

Finally passed.

[Appropriation, Human Resources]

Ordinance appropriating \$636,638, Department of Human Resources, from the General Fund Reserve, for the costs of collective bargaining under Proposition F. (Supervisor Kaufman)

File 101-94-94, Ordinance No. 111-95

(Fiscal Impact.)

Finally passed.

[Parking Rates for Special Events]

Ordinance amending Administrative Code, to permit the Parking Authority Commission to adjust rates charged at public off-street parking facilities temporarily on account of a special event. (Supervisor Migden)

File 97-95-11, Ordinance No. 154-95

(Fiscal Impact.)

(Amends Section 17.17.)

Finally passed.

Recommendations of Government Efficiency and Labor Committee

Finally Passed

[Fiscal Provisions]

Ordinance implementing the fiscal provisions of the Memorandum of Understanding between the Automotive Machinists Union, Local 1305 and the City and County. (Supervisor Shelley)

File 93-95-5.1, Ordinance No. 115-95

Finally passed.

[Fiscal Provisions]

Ordinance implementing the fiscal provisions of the Memorandum of Understanding between the Bay Counties District Council of Carpenters and its Affiliated Local Unions, Local 22 and the City and County. (Supervisor Shelley)

File 93-95-6.1, Ordinance No. 116-95

Finally passed.

[Fiscal Provisions]

Ordinance implementing the fiscal provisions of the Memorandum of Understanding between the Laborer's International Union, Local 261 and the City and County. (Supervisor Shelley)

File 93-95-7.1, Ordinance No. 117-95

Finally passed.

[Fiscal Provisions]

Ordinance implementing the fiscal provisions of the Memorandum of Understanding between the Machinists

Automotive Trades District No. 190, International Association of Machinists and Aerospace Workers, Local 1327 and the City and County. (Supervisor Shelley)

File 93-95-8.1, Ordinance No. 118-95

Finally passed.

[Fiscal Provisions]

Ordinance implementing the fiscal provisions of the Memorandum of Understanding between the Operating Engineers, Local Union No. 3 of the International Union of Operating Engineers, AFL-CIO and the City and County. (Supervisor Shelley)

File 93-95-9.1, Ordinance No. 119-95

Finally passed.

[Fiscal Provisions]

Ordinance implementing the fiscal provisions of the Amendment to the Memorandum of Understanding between the United Association of Journeymen and Apprentices of the Plumbing and Pipe Fitting Industry, Local 38 and the City and County. (Supervisor Shelley)

File 93-95-10.1, Ordinance No. 120-95

Finally passed.

[Fiscal Provisions]

Ordinance implementing the fiscal provisions of the Memorandum of Understanding between the Cement Masons, Local 580 and the City and County. (Supervisor Shelley)

File 93-95-11.1, Ordinance No. 121-95

Finally passed.

[Fiscal Provisions]

Ordinance implementing the fiscal provisions of the Memorandum of Understanding between the International Brotherhood of Electrical Workers, Local 6 and the City and County. (Supervisor Shelley)

File 93-95-13.1, Ordinance No. 123-95

Finally passed.

[Fiscal Provisions]

Ordinance implementing the fiscal provisions of the Memorandum of Understanding between the International Alliance of Theatrical Stage Employees and Moving Picture Machine Operators of the United States and Canada, Local 16 and the City and County. (Supervisor Shelley)

File 93-95-14.1, Ordinance No. 124-95

Finally passed.

[Fiscal Provisions]

Ordinance implementing the fiscal provisions of the Amendment to the Memorandum of Understanding between the Bricklayers, Stone Masons, Terrazza Mechanics, Marble Masons, Pointers, Caulkers and Cleaners, Local Union No. 3 and Hod Carriers Local Union No. 36 and the City and County. (Supervisor Shelley)

File 93-95-15.1, Ordinance No. 125-95

Finally passed.

[Fiscal Provisions]

Ordinance implementing the fiscal provisions of the Amendment to the Memorandum of Understanding between the United Union of Roofers, Waterproofers and Allied Workers, Local 40 and the City and

County. (Supervisor Shelley)

File 93-95-16.1, Ordinance No. 126-95

Finally passed.

[Fiscal Provisions]

Ordinance implementing the fiscal provisions of the Amendment to the Memorandum of Understanding between the Painters Union, Local 4 and the City and County. (Supervisor Shelley)

File 93-95-17.1, Ordinance No. 127-95

Finally passed.

[Fiscal Provisions]

Ordinance implementing the fiscal provisions of the Amendment to the Memorandum of Understanding between the Glaziers, Architectural Metal and Glass Workers, Local Union No. 718 and the City and County. (Supervisor Shelley)

File 93-95-18.1, Ordinance No. 128-95

Finally passed.

[Fiscal Provisions]

Ordinance implementing the fiscal provisions of the Memorandum of Understanding between the Pile Drivers, Divers, Carpenters, Bridge, Wharf and Dock Builders, Local Union No. 34 and the City and County. (Supervisor Shelley)

File 93-95-19.1, Ordinance No. 129-95

Finally passed.

[Fiscal Provisions]

Ordinance implementing the fiscal provisions of the Memorandum of Understanding between the Building Material and Construction, Teamsters Local 216 and the City and County. (Supervisor Shelley)

File 93-95-20.1, Ordinance No. 130-95

Finally passed.

[Fiscal Provisions]

Ordinance implementing the fiscal provisions of the Memorandum of Understanding between the Institutional Police Officers Association and the City and County. (Supervisor Shelley)

File 93-95-22.1, Ordinance No. 131-95

Finally passed.

[Fiscal Provisions]

Ordinance implementing the fiscal provisions of the Memorandum of Understanding between the Probation Officers Association, Teamsters Local 856 and the City and County. (Supervisor Shelley)

File 93-95-24.1, Ordinance No. 132-95

Finally passed.

[Fiscal Provisions]

Ordinance implementing the fiscal provisions of the Memorandum of Understanding between the District Attorney Investigators Association and the City and County. (Supervisor Shelley)

File 93-95-25.1, Ordinance No. 133-95

Finally passed.

[Fiscal Provisions]

Ordinance implementing the fiscal provisions of the amendment to the Memorandum of Understanding between the Building Inspectors Association for 6334 Chief Building Inspector and the City and County. (Supervisor Shelley)

File 93-95-26.1, Ordinance No. 134-95

Finally passed.

[Fiscal Provisions]

Ordinance amending Ordinance No. 317-94 implementing fiscal provisions of Memorandum of Understanding between the Building Inspectors Association for 6334 Chief Building Inspector and the City and County awarded by the arbitration panel. (Department of Human Resources)

File 93-95-4.1, Ordinance No. 113-95

Finally passed.

[Fiscal Provisions]

Ordinance implementing the fiscal provisions of the amendment to the Memorandum of Understanding between the Building Inspectors Association, for 6331 Building Inspector and 6333 Senior Building Inspector and the City and County. (Supervisor Shelley)

File 93-95-027.01, Ordinance No. 135-95

Finally passed.

[Fiscal Provisions]

Ordinance amending Ordinance No. 316-94 implementing the fiscal provisions of Memorandum of Understanding between the Building Inspectors Association for 6331 Building Inspector and 6333 Senior Building Inspector and the City and County awarded by the arbitration panel. (Department of Human Resources)

File 93-95-4.3, Ordinance No. 114-95

Finally passed.

[Salary Standardization]

Ordinance fixing compensation for persons employed by the City and County whose compensations are subject to the provisions of Section 8.409 of the Charter, in classes not represented by an employee organization, and establishing working schedules and conditions of employment and methods of payment, effective July 1, 1995. (Supervisor Shelley)

File 106-95-2, Ordinance No. 136-95

Finally passed.

Passed for Second Reading

[Settlement of Litigation, Kathryn Senn]

Ordinance authorizing settlement of litigation of Kathryn Senn against the City and County by payment of \$45,000. (City Attorney)

File 45-95-12, Ordinance No.

(Superior Court No. 961-777.)

Passed for second reading.

[Settlement of Litigation, Albert Traian Marcu]

Ordinance authorizing settlement of litigation of Albert Traian Marcu against the City and County by payment of \$62,500. (City Attorney)



File 45-95-13, Ordinance No.

(Superior Court No. 951-009.)

Passed for second reading.

[Settlement of Litigation, Brian Sullivan]

Ordinance authorizing settlement of litigation of Brian Sullivan, et al., against the City and County by payment of \$295,000. (City Attorney)

File 45-95-14, Ordinance No.

(United States District Court No. C94-2370.)

Passed for second reading.

Adopted

[Settlement of Claim, Christine Cooper]

Resolution approving the settlement of the unlitigated claim of Christine Cooper in the sum of \$15,000.00 and a waiver in the amount of \$3,266.97 for Department of Public Health liens. (City Attorney)

File 48-95-9, Resolution No. 360-95

Adopted.

[Settlement of Claim, Farmers Insurance Group]

Resolution approving the settlement of the unlitigated claim of Farmers Insurance Group in the sum of \$9,754.33. (City Attorney)

File 48-95-10, Resolution No. 361-95

Adopted.

[Federal Grant, "Make the Right Call"]

Resolution authorizing the Department of Public Health Paramedic Division, to apply for retroactively, accept and expend a grant of \$10,000, which includes indirect costs in the amount of \$188, based on twenty-five percent of salaries from the Federal Emergency Management Agency (FEMA) for "Evaluation of 'Make the Right Call' Public EMS Education Campaign"; providing for ratification of action previously taken. (Department of Public Health)

File 146-95-5, Resolution No. 365-95

Adopted.

Recommendations of Housing and Land Use Committee

Adopted

[Stop Signs]

Resolution designating 30th Avenue and Noriega Street as a "Stop" Intersection. (Housing and Land Use Committee)

File 18-95-6, Resolution No. 352-95

(30th Avenue and Noriega Street, northeast and southwest corners, stopping Noriega Street (makes this an all-way Stop).)

Adopted.

[Parking Regulations, Various Locations]

Resolution enacting and rescinding parking regulations at various locations. (Housing and Land Use Committee)

File 19-95-3, Resolution No. 353-95

(Diagonal (45-Degree Angle) Parking - Establish

John Muir Drive, south side, from 300 feet to 3000 feet east of Skyline Boulevard (2700-foot zone).

Parking Meter Area No. 3 (One-Hour Parking Time Limit, Monday Through Saturday, 9 AM - 6 PM) - Establish

Harrison Street, north side, from Main Street to 166 feet westerly (166-foot zone).

Police Vehicle Parking Only - Establish

10th Street, west side, from 214 feet to 436 feet south of Howard Street (222-foot zone).

Two-Hour Parking Time Limit - Rescind

Newhall Street, both sides, from Jennings Street to the west terminus (U.S. Post Office).

Adopted.

[Traffic Regulations, Various Locations]

Resolution enacting and rescinding traffic regulations on various streets. (Housing and Land Use Committee)

File 20-95-4, Resolution No. 354-95

(Tow-Away, No Stopping, 3 PM - 9 PM, Monday through Friday - Establish

1st Street, east side, from Market Street to 219 feet southerly (219-foot zone eliminates 10 meter stalls during affected hours).

No Turn On Red - Establish (6-Week Trial Period)

3rd Street, northbound, at Folsom Street.

Folsom Street, eastbound, at 3rd Street.

Tow-Away, No Stopping 7 AM - 9 AM and 4 PM - 6 PM, Monday Through Friday - Rescind (6-Week Trial Period).

Tow-Away, No Stopping, 7 AM - 6 PM, Monday Through Friday - Establish (6-Week Trial Period).

3rd Street, east side, from Folsom Street to 100 feet southerly (100-foot zone).

Pedestrian Crosswalk Closure - Rescind (6-Week Trial Period)

3rd and Folsom Streets, north crosswalk (re-opens crosswalk).

No U-Turn - Establish

Evans Avenue, northbound, at Army Street.

One-Way Street - Establish

Everglade Drive, northbound, between Sloat Boulevard and Ocean Avenue (to be implemented for a 6-month trial period).

Diamond (Buses Only) Lane - Rescind

Stockton Street, west curb lane (southbound), between Geary and O'Farrell Streets.)

Adopted.

[Parking of Vehicles]

Resolution extending the boundaries of Residential Permit Parking Area "F" in the Jordan Park/Presidio Heights Area. (Department of Parking and Traffic)

File 40-95-8, Resolution No. 359-95

Adopted.

The foregoing items on the Consent Calendar were acted upon by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

REGULAR CALENDAR

UNFINISHED BUSINESS

Recommendations of Budget Committee

Finally Passed

[Appropriation, District Attorney]  
Ordinance appropriating \$533,277, District Attorney of federal revenue and rescinding \$59,253 from other non-personal services to fund \$592,530 of computer equipment for the Statewide Automated Child Support System for the District Attorney-Family Support Office, for fiscal year 1994-95; placing \$592,530 on reserve. (Controller)

File 101-94-80, Ordinance No. 152-95

(Fiscal Impact.)

Finally passed by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

(Supervisor Bierman dissenting in Committee.)

[General Grant Levels]  
Ordinance amending Administrative Code, (General Assistance Ordinance) relating to the computation of aid grants. (Department of Social Services)

File 97-95-19, Ordinance No. 155-95

(Amends Section 20.57.)

Finally passed by the following vote:

Ayes: Supervisors Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 8.

Noes: Supervisors Alioto, Ammiano, Bierman - 3.

Recommendation of Economic Vitality and Social Policy Committee

Finally Passed

[Business Improvement Procedure Code]  
Ordinance amending Part III, Municipal Code, which would authorize property owners to petition the Board of Supervisors to form business improvement districts and authorize the Board of Supervisors, by specified procedures, to form one or more business improvement district(s) and to levy business improvement assessments on property within such districts. (Supervisor Kaufman)

File 127-95-2, Ordinance No. 157-95

(Enacts a new Article 15, Sections 1510 through 1591.)

Finally passed by the following vote:

Ayes: Supervisors Alioto, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 9.

Noes: Supervisors Ammiano, Bierman - 2.

Recommendation of Housing and Land Use Committee

(Supervisor Leal Excused from Voting.)

Tabled

[Rent Control]  
Ordinance amending Administrative Code, to prohibit the rent board from issuing rules that treat newly-created units differently than other units subject to rent control in determining whether rent increases are justified. (Supervisors Bierman, Teng)

File 109-95-3, Ordinance No.

(Amends Section 37.6.)

(March 20, 1995 - Supervisor Leal excused from voting.)

(April 24, 1995 - Consideration continued to May 1, 1995.)

Supervisor Bierman, seconded by Supervisor Kaufman, moved to table.

Tabled by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Migden, Shelley Teng - 10.

Excused: Supervisor Leal - 1.

Recommendation of Government Efficiency and Labor Committee

Finally Passed

[Fiscal Provisions]

Ordinance implementing the fiscal provisions of the Memorandum of Understanding as amended between the Sheetmetal Workers International Association, Local 104, AFL-CIO and the City and County. (Supervisor Shelley)

File 93-95-12.1, Ordinance No. 122-95

Finally passed by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Migden, Shelley Teng - 10.

Absent: Supervisor Leal - 1.

NEW BUSINESS

Recommendations of Budget Committee

Passed for Second Reading

[Appropriation, Retirement System]

Ordinance appropriating \$13,980, Retirement System, from Employees

Retirement Trust Fund for services of other departments to provide funding for a Workers' Compensation Adjuster for fiscal year 1994-95. (Controller)

File 101-94-91, Ordinance No.

(Fiscal Impact.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

[Lease, Beach Chalet]

Ordinance approving a twenty (20) year lease with the Beach Chalet, (L.P.) for the operation of a microbrewery and restaurant on the second floor of the Beach Chalet building. (Supervisors Hsieh, Bierman, Leal)

File 65-95-2, Ordinance No.

(Fiscal Impact.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

[James Guelff Fund]

Ordinance amending the Administrative Code, to establish a Peace Officers' Safety Fund for purchase of semi-automatic firearms and related equipment, and accepting gifts to that fund and limiting expenditures from that fund. (Supervisors Shelley, Alioto, Kaufman, Teng)

File 97-95-18, Ordinance No.

(Adds Section 10.117-115.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

In connection with the above item, Supervisor Teng requested to be added as co-sponsor.

Adopted

[Statute of Limitations - Warrants]

Resolution waiving statute of limitations with respect to payment of certain warrants of the City and County, the sum of \$661.41 a legal obligation of the City and County. (Controller)

File 23-95-4, Resolution No. 355-95

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

[Emergency Repair, Parker Avenue Sewer]

Resolution authorizing the Director of the Department of Public Works to take necessary measures to protect the health, welfare and property of the citizens of San Francisco by performing the necessary work to replace structurally inadequate sewer in Parker Avenue between Geary Boulevard and Anza Street. (Department of Public Works)

File 28-95-5, Resolution No. 356-95

(Fiscal Impact.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

[Emergency Repair, Guerrero Street Sewer]

Resolution authorizing the Director of the Department of Public Works to take necessary measures to protect the health, welfare and property of the citizens of San Francisco by performing the necessary work to replace structurally inadequate sewer in Guerrero Street between 27th Street and 28th Street. (Department of Public Works)

File 28-95-6, Resolution No. 357-95

(Fiscal Impact.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

[Emergency Repair, Pine Street Sewer]

Resolution authorizing the Director of the Department of Public Works to take necessary measures to protect the health, welfare and property of the citizens of San Francisco by performing the necessary work to replace structurally inadequate sewer in Pine Street between Larkin Street and Hyde Street. (Department of Public Works)

File 28-95-7, Resolution No. 358-95

(Fiscal Impact.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

Recommendations of Government Efficiency and Labor Committee

Passed for Second Reading as Amended

[Urban Forestry]

Ordinance amending Administrative Code, to allow depositing of fees, fines and liens into the Adopt-A-Tree Fund; amending Housing Code to allow the recording of street tree permits on the Report of Residential Building Record; repealing the existing sections of Article 16 of the Public Works Code and adopting new sections to clarify street tree maintenance responsibilities, to provide for in-lieu and replacement fees, to promote the planting and retention of street trees, to initiate a cost recovery fee schedule for street tree removal permits, to clarify and simplify the procedures for tree permits and nuisance tree abatement and to increase the penalties for violations of this article. (Supervisor Hallinan, Leal, Bierman, Shelley, Teng)

File 97-95-8, Ordinance No.

(Amends Administrative Code Section 10.117-77;  
Amends Housing Code Section 351;  
Repeals existing Public Works Code Sections of Article 16 and adopts new sections.

Supervisor Hallinan, seconded by Supervisor Bierman, moved an amendment of the whole bearing same title as above.

Amendment of the whole adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

Passed for second reading as amended by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

In connection with the above item, Supervisors Leal, Bierman, Shelley, Teng requested to be added as co-sponsors.

Passed for Second Reading

[Health Service Plans and Rates of Contribution]

Ordinance amending Administrative Code, approving Health Service System Plans and Rates of Contribution as adopted by the Health Service Board. (Health Service System)

File 97-95-16, Ordinance No.

(Amends Section 16.157,

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

Adopted

[Grant, Supportive Housing/Shelter Plus Program]

Resolution authorizing the Mayor to apply, retroactively, for a Supportive Housing Program (SHP) grant and a Shelter Plus Care Program grant in a total amount not to exceed \$20,429,747 and \$5,904,900 respectively, from the U.S. Department of Housing and Urban Development. (Mayor's Office of Housing)

File 68-95-4, Resolution No. 362-95

(Fiscal Impact.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

[Grant - Federal and State Funds]

Resolution authorizing the Executive Director of the Port to retroactively, apply for, accept and expend \$1.5 million from the U.S. Department of Commerce Economic Development Administration and \$250,000 from the California Trade and Commerce Agency Office of Strategic Technology for repairs to the cranes at the Pier 70 shipyard and foregoing reimbursement of indirect costs; placing \$1,750,000 on reserve. (Supervisor Shelley)

File 144-95-1, Resolution No. 363-95

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

[State Grant, Oil Spill Prevention]

Resolution authorizing the Department of Public Health, Bureau of Environmental Health Management, to apply for, accept and expend retroactively a grant of \$5,000, which includes indirect costs in the amount of \$699, based on twenty-two percent of salaries, from the California Department of Fish and Game, Office of Oil Spill Prevention and Response, for providing input into the San Francisco Bay/San Joaquin Delta Area contingency plan for oil spills; providing for ratification of action previously taken. (Department of Public Health)

File 146-95-4, Resolution No. 364-95

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

[Domestic Violence Unit, Police Department]

Resolution requesting the Mayor to urge the Police Commission to make domestic violence a top priority of law enforcement in San Francisco and finding the space and resources to create a separate domestic violence unit of the Police Department, and urging the Police Department to contract with a non-profit domestic violence intervention agency for the domestic violence advocacy services, and make every effort to procure federal funding. (Supervisors Hallinan, Kennedy, Alioto, Leal, Bierman, Ammiano, Teng, Kaufman, Migden, Shelley, Hsieh)

File 207-95-6.1, Resolution No. 366-95

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

In connection with the above item, Supervisors Leal, Bierman, Ammiano, Teng, Kaufman, Migden, Shelley, Hsieh requested to be added as co-sponsors.

[Funding, Domestic Violence Intervention]

Resolution urging the Mayor to adopt the request submitted by the Commission on the Status of Women to add \$247,928 needed for emergency domestic violence intervention. (Supervisors Hallinan, Kennedy, Alioto, Teng, Shelley, Leal, Bierman, Hsieh)

File 242-95-2, Resolution No. 371-95

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

In connection with the above item, Supervisors Leal, Bierman, Hsieh requested to be added as co-sponsors.

[Fire Department Consent Decree]

Resolution urging the Mayor, Fire Commission and Fire Department to voluntarily agree to an extension of the Federal Consent Decree until the goals of the Consent Decree are met. (Supervisors Teng, Ammiano, Kennedy, Alioto, Bierman)

File 208-95-2, Resolution No. 372-95

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

In connection with the above item, Supervisor Bierman requested to be added as co-sponsor.

[Fire Department Division One]

Resolution urging the Mayor, Fire Commission and Fire Department to immediately reactivate and maintain Fire Division One and advance integration of the Fire Department in line with the goals and terms of the Federal Consent Decree. (Supervisors Teng, Ammiano, Kennedy, Alioto, Bierman)

File 208-95-3, Resolution No. 373-95

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

In connection with the above item, Supervisor Bierman requested to be added as co-sponsor.

From Government Efficiency and Labor Committee  
Without Recommendation

Consideration Continued

[Memorandum of Understanding, MEA, Police Department]

Ordinance implementing the fiscal provisions of the Arbitrator's Award between the Municipal Executives Association and the City and County for the ranks of 0390 Chief of Police and 0395 Assistant Chief for the period July 1, 1993 through June 30, 1995. (Department of Human Resources)

File 93-95-2, Ordinance No.

(Fiscal Impact.)

Supervisor Ammiano, seconded by Supervisor Alioto, moved to continue consideration to May 8, 1995.

Motion to continue adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

[Memorandum of Understanding, MEA, Fire Department]

Ordinance implementing the fiscal provisions of the Arbitrator's Award between the Municipal Executives Association and the City and County for the ranks of 0140 Chief of Department, 0145 Assistant Deputy Chief, 0150 Deputy Chief of Department, and H51 Assistant Deputy Chief II for the period July 1, 1993 through June 30, 1995. (Department of Human Resources)

File 93-95-3, Ordinance No.

(Fiscal Impact.)

Supervisor Ammiano, seconded by Supervisor Bierman, moved to continue consideration to May 8, 1995.

Motion to continue adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

Recommendation of Housing and Land Use Committee

Adopted

[Mission Bay]

Resolution urging Catellus Development Corporation and the San Francisco Planning Commission to undertake a comprehensive and timely community planning process before any substantial modification of the existing Mission Bay Development Agreement and/or the final Mission Environmental Impact Report is forwarded to the Board of Supervisors for action; Catellus to pay for the costs of this process. (Supervisor Bierman)

File 225-95-2, Resolution No. 368-95

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.



PUBLIC COMMENT

The privilege of the floor was granted to the following persons:

Diane Nygard, Mission Bay Development Agreement;  
Hue L. Washington, Drivers who violate red traffic lights;  
Sheryl Saffer, Mission Bay Development Agreement.

There being no one else present wishing to speak, the President declared the Public Comment portion of the meeting closed.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE CALENDAR

Severed From For Adoption Without Committee Reference Calendar

Supervisor Kaufman requested that the following measure be severed from the For Adoption Without Committee Reference Calendar and considered separately.

Adopted as Amended

[Commend, The Fromm Institute]  
Resolution commemorating the 20th Anniversary of the Fromm Institute for Lifelong Learning and declaring May 6, 1995, as "The Fromm Institute For Lifelong Learning Day in San Francisco."  
(Supervisors Kaufman, Ammiano, Shelley, Leal)

File 4-95-7, Resolution No. 342-95

(April 24, 1995 - Introduced in Board for consideration on May 1, 1995.)

Supervisor Kaufman, seconded by Supervisor Kennedy, moved to amend page 2, line 2 by replacing the words "World Trade Center" with the words "Sheraton Palace Hotel".

Motion to amend adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

Adopted as amended by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

In connection with the above item, Supervisors Shelley, Leal requested to be added as co-sponsors.

The Board thereupon resumed its consideration of the following items on the For Adoption Without Committee Reference Calendar.

For Adoption Without Committee Reference Calendar

Adopted

[Contract on America Day]  
Resolution designating May 6, 1995 as "Defeat the Contract on America" Day in San Francisco, and supporting a national day of mass action, march and rally to defeat the "Contract on America".  
(Supervisors Hallinan, Alioto)

File 4-95-6, Resolution No. 341-95

(April 24, 1995 - Introduced in Board for consideration on May 1, 1995.)

Adopted.

[Water Awareness Month]  
Resolution supporting local water organizations in their efforts to make Water Awareness Month during the month of May a success and to help Californians support the "Use Water Wisely -- It's a Way of Life" campaign. (Supervisors Migden, Alioto, Shelley)

File 4-95-8, Resolution No. 343-95

(April 24, 1995 - Introduced in Board for consideration on May 1, 1995.)

Adopted.

In connection with the above item, Supervisor Shelley requested to be added as co-sponsor.

[Asian Pacific Heritage Month]

Resolution designating May 1995 as Asian Pacific Heritage Month. (Supervisor Teng, Alioto, Hsieh, Shelley)

File 4-95-9, Resolution No. 344-95

(April 24, 1995 - Introduced in Board for consideration on May 1, 1995.)

Adopted.

In connection with the above item, Supervisors Alioto, Hsieh, Shelley requested to be added as co-sponsors.

[Commend Mrs. Elouise Morris-Westbrook]

Resolution commending Mrs. Elouise Morris-Westbrook for her tireless efforts to improve the general welfare of the citizens of Bayview Hunters Point and the citizens of San Francisco and congratulating her on the significant occasion of her 80th birthday. (Supervisors Bierman, Alioto, Shelley)

File 6-95-34, Resolution No. 345-95

(April 24, 1995 - Introduced in Board for consideration on May 1, 1995.)

Adopted.

In connection with the above item, Supervisor Shelley requested to be added as co-sponsor.

[San Francisco Bay Conservation]

Resolution opposing the merger of the San Francisco Bay Conservation and Development Commission into other state agencies. (Supervisors Kennedy, Shelley, Leal)

File 12-95-27, Resolution No. 349-95

(April 24, 1995 - Introduced in Board for consideration on May 1, 1995.)

Adopted.

In connection with the above item, Supervisor Leal requested to be added as co-sponsor.

[Residential Treatment Settings]

Resolution urging the City's lobbyist in Sacramento to seek necessary legislative action to facilitate the establishment of residential care settings for the chronically ill (RCF-CI). (Supervisor Migden, Shelley)

File 12-95-28, Resolution No. 350-95

(April 24, 1995 - Introduced in Board for consideration on May 1, 1995.)

Adopted.

In connection with the above item, Supervisor Shelley requested to be added as co-sponsor.

[State Legislation, AJR 18]

Resolution memorializing and endorsing AJR 18 (Caldera) a joint resolution memorializing Congress not to repeal or weaken the Federal Assault Weapons Ban enacted in 1994. (Supervisors Shelley, Alioto)

File 12-95-29, Resolution No. 351-95

(April 24, 1995 - Introduced in Board for consideration on May 1, 1995.)

Adopted.

["Youthbuild" Program]

Resolution expressing support for the establishment of a "Youthbuild" program in San Francisco under the auspices of New College of California and encouraging City and County departments, community agencies and San Francisco's Federal lobbyist to cooperate in this effort. (Supervisors Ammiano, Bierman, Shelley, Alioto, Leal)

File 219-95-2, Resolution No. 367-95

(April 24, 1995 - Introduced in Board for consideration on May 1, 1995.)

Adopted.

In connection with the above item, Supervisor Leal requested to be added as co-sponsor.

[Internet E-mail]

Resolution agreeing to the San Francisco State University offer to provide Internet electronic mail to City Hall offices that currently have the hardware and software necessary to participate. (Supervisor Alioto, Shelley)

File 227-95-2.1, Resolution No. 369-95

(April 24, 1995 - Introduced in Board for consideration on May 1, 1995.)

Adopted.

In connection with the above item, Supervisor Shelley requested to be added as co-sponsor.

[Bicycle Racks]

Resolution urging the War Memorial Board of Trustees and the Veterans building management to make available to the public secure bicycle racks to encourage bicycle use by people coming to City Hall. (Supervisors Ammiano, Alioto, Migden)

File 230-95-001, Resolution No. 370-95

(April 24, 1995 - Introduced in Board for consideration on May 1, 1995.)

Adopted.

In connection with the above item, Supervisor Migden requested to be added as co-sponsor.

[Final Map, 768 Church Street]

Motion approving final map of 768 Church Street, a condominium project, being a resubdivision of Lot 9 in Assessor's Block 3600, and adopting findings pursuant to City Planning Code Section 101.1. (Department of Public Works)

File 58-95-10

(April 24, 1995 - Introduced in Board for consideration on May 1, 1995.)

Adopted.

[Final Map, 2632 Fillmore Street]

Motion approving final map of 2632 Fillmore Street, a condominium project, being a resubdivision of Lot 13 in Assessor's Block 581, and adopting findings pursuant to City Planning Code Section 101.1. (Department of Public Works)

File 58-95-11

(April 24, 1995 - Introduced in Board for consideration on May 1, 1995.)

Adopted.

The foregoing items on the For Adoption Without Committee Reference Calendar were adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

IMMEDIATE ADOPTION CALENDAR

These measures are being introduced at this meeting. A unanimous vote is required for adoption today. Any Supervisor may require any of these measures to go to committee.

[Leaves of Absence]

Resolution granting leaves of absence to various city and county officers with permission to leave the state. (Clerk of the Board)

File 1-95-17, Resolution No. 301-95

Adopted.

(Susan Leal, member, Board of Supervisors, May 5 - May 25; Carole Migden, member, Board of Supervisors, May 6 - May 7; Anne Halsted, Commissioner, Port of San Francisco, April 30 - May 30; Frank O'Neill, Commissioner, Port of San Francisco April 28 - April 29.)

The foregoing item on the Immediate Adoption Calendar was adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

IMPERATIVE CALENDAR

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the following two motions:

Adopted

[Purely Commendatory Finding]

Motion that the Board find by roll call vote that the resolution(s) being considered at this time are purely commendatory.

Supervisor Leal, seconded by Supervisor Hallinan, moved adoption.

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

[Brown Act Finding]

Motion that the Board finds by roll call vote that for the resolutions being considered at this time there is a need to take immediate action and the need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

Supervisor Leal, seconded by Supervisor Hallinan, moved adoption.

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

Resolutions Adopted

[Proclamation]

Resolution calling attention to the annual observance of important contributions to community betterment by members of the Lesbian and Gay deaf community and declaring May 6, 1995 "Lesbian and Gay Deaf Awards Day" in San Francisco.

File 004-95-010, Resolution No. 302-95

Supervisor Ammiano presented for immediate adoption.

Resolution adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

Commendation-Clean Air Month]

Resolution commending the work of the American Lung Association and its San Francisco-San Mateo Counties affiliate in promoting clean air; recognizing and celebrating the month of May as Clean Air Month; and urging all San Franciscans to participate in activities that enhance Bay Area air quality.

File 004-95-011, Resolution No. 303-95

Supervisors Kaufman, Leal presented for immediate adoption.

Resolution adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

[Commending Chinese American Citizens Alliance]

Resolution commemorating the 83rd Anniversary of the San Francisco Lodge of the Chinese American Citizens Alliance.

File 006-95-038, Resolution No. 306-95

Supervisors Hsieh, Alioto, Ammiano, Bierman, Hallinan, Kaufman, Kennedy, Leal, Migden, Shelley, Teng presented for immediate adoption.

Resolution adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

[Commending Barbara Taylor]

Resolution commending Barbara Taylor for 20 years of service to KCBS Radio.

File 006-95-039, Resolution No. 307-95

Supervisors Leal, Kaufman, Migden, Hsieh, Alioto, Bierman, Hallinan, Ammiano, Kennedy, Teng, Shelley presented for immediate adoption.

Resolution adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

OFF-CALENDAR LEGISLATION

ROLL CALL FOR INTRODUCTION OF MEASURES AND COMMUNICATIONS  
NOT CONSIDERED OR REPORTED ON BY COMMITTEE

Referred to Committee

[Appropriation, Department of Public Works]

Ordinance appropriating \$3,978,141 from the Clean Water Operating Fund (Rate Stabilization Fund) to allow the Department of Public Works to meet debt service requirements for fiscal year 1994-95. Supervisor Hsieh presented. Referred to Budget Committee with request it be considered at the May 10, 1995 meeting.

File 101-94-096

[Appropriation, Board of Supervisors]

Ordinance appropriating \$17,900 of other government service charges to allow the Board of Supervisors to pay fees and other compensation to Hearing Officers and Assessment Appeals Board Members for fiscal year 1994-95. Supervisor Hsieh presented. Referred to Budget Committee with request that it be considered at the May 10, 1995 meeting.

File 101-94-097

[Appropriation, Municipal Railway]

Ordinance appropriating \$8,859,766 to the Municipal Railway to offset shortfalls in passenger fare

revenues, claims and judgements, materials and supplies, workers compensation and services to City Attorney, funded from General Reserve (\$5,259,766), Transit Impact Development Fund (\$2,100,000) and San Francisco County Transportation Authority (\$1,500,000) for fiscal year 1994-95; subject of previous budgetary denial and providing for ratification of action previously taken. Supervisor Hsieh presented. Referred to Budget Committee with request it be considered at the May 10, 1995 meeting.

File 101-94-098

[City Store]

Substitute ordinance amending Administrative Code by adding Section 1.48 authorizing the Chief Administrative Officer or the Purchaser to establish a municipal store for the purpose of selling City surplus goods and souvenir merchandise bearing City marks, logos, emblems, symbols and designs to promote and advertise the City and County of San Francisco, offer such merchandise through direct mail catalogue programs and agreements with retailers and distributors and to ensure that departments or commissions offering goods for sale are credited with the profits from the sale of their goods. Supervisor Leal presented. Referred to Government Efficiency and Labor Committee.

File 97-95-24

[Acceptance of Credit Card/ATM Card Payments]

Ordinance amending Administrative Code Section 10.11-2, by authorizing the Art Commission to accept credit cards or automatic teller machine cards ("ATM") for the payment of fees and charges. Supervisor Kaufman presented. Referred to Government Efficiency/Labor Committee.

File 097-95-028

Referred to Board

[Family Preservation and Support Plan] Resolution supporting the San Francisco Department of Social Services implementation of an integrated and centralized system of family services, and the Department's efforts to obtain funding in the amount of \$1,227,271 from the federal government through the California Department of Social Services for fiscal years 1995 through 1998. Supervisor Kennedy presented. Referred to Board for Adoption Without Committee Reference Calendar May 8, 1995.

File 153-95-002.

Referred to Committee

[Transit Advertising Agreement] Resolution approving a three-year extension of transit advertising agreement between City and County of San Francisco, through its Public Transportation Commission, and Transportation Displays, Incorporated. Supervisor Shelley presented. Referred to Government Efficiency/Labor Committee with request it be considered at its May 9, 1995 meeting.

File 172-95-017

[Urban Search and Rescue Task Force Funding] Resolution urging the Mayor to urge the Fire Commission to immediately allocate funding to fully equip the Urban Search and Rescue Task Force for the current fiscal year. Supervisors Hsieh, Kaufman presented. Referred to Budget Committee with request it be considered at its May 10, 1995 meeting.

File 208-95-004

[Initiating Proceedings, Assessment District] Resolution initiating proceedings pursuant to state law in order to form "PRIDE", a Benefit Assessment District to fund maintenance of park property. Supervisors Hsieh, Bierman, Leal, Teng, Alloto presented. Referred to Budget Committee with request it be considered at its May 10, 1995 meeting.

File 231-95-001

Requests for Hearings:

[Civil Grand Jury Report - San Bruno Jail] Hearing to consider the Civil Grand Jury Report on Jails. Supervisor Leal presented. Referred to Health/Public Safety/Environment Committee with request it be considered at its June 27, 1995 meeting.

File 039-95-003

[Citizen Complaints/Quarterly Reports] Hearing to consider amending the Administrative Code to require that the Office of Citizen Complaints submit quarterly reports on its operations to the Clerk of the Board of Supervisors. Supervisor Ammiano presented. Referred to Government Efficiency/Labor Committee.

File 097-95-029

[Ballot Measure] Hearing to consider a charter amendment mandating a five-year term of office for the Director of the Office of Citizen Complaints (removal only for cause). Supervisor Ammiano presented. Referred to Rules Committee.

File 233-95-001

#### Motions

#### Referred to Board

File 030-95-001.09. [Needle Exchange Emergency] Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the Needle Exchange Program. Supervisors Alioto, Leal, Bierman, Shelley, Migden presented. Referred to Board for Adoption Without Committee Reference Calendar May 8, 1995.

File 270-95-003.03. [Winter Storms of 1995] Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the California Winter Storms of 1995. Supervisors Shelley, Teng presented. Referred to Board for Adoption Without Committee Reference Calendar May 8, 1995.

#### Introduced by the President at the Request of Departments

#### Ordinance Referred to Committee

File 045-95-015. [Settlement of Litigation, A. Woodruff, Jr.] Ordinance authorizing settlement of litigation of Alexander Woodruff, Jr. against the City and County of San Francisco by payment of \$399,267. (Superior Court No. 932-772) (City Attorney) Referred to Government Efficiency/Labor Committee.

#### Resolutions Referred to Committee

File 021-95-001. [Sewer Service Charge, 1995/96] Resolution adopting and imposing schedules of sewer service charges to be paid by users for fiscal year 1995-1996 pursuant to Part II, Chapter X, Articles 4.1 and 4.2 of the Public Works Code; providing for severability clause. (Chief Administrative Officer) Scheduled for public hearing before Board on May (30) 22, 1995, at 3:00 p.m.

File 025-95-009. [Prop J Contract, Dental Services] Resolution concurring with the Controller's certification that the inpatient dental services can be practically performed for the Department of Public Health, Laguna Honda Hospital, by private contractor for a lower cost than similar work services performed by City and County employees. (Department of Public Health) Referred to Government Efficiency/Labor Committee.

File 064-95-002. [Lease of Property, 1540 Market Street] Resolution authorizing the lease of real property at 1540 Market Street, Suite 260, for the Department of Public Health. (Real Estate Department) Referred to Government Efficiency/Labor Committee.

File 133-95-004. [Grant, American Plastics Council] Resolution authorizing the Chief Administrative Officer (CAO) of the City and County of San Francisco to accept and expend \$30,000 from the American Plastics Council. (Chief Administrative Officer) Referred to Government Efficiency/Labor Committee.

File 147-95-006. [Federal Grant, Online Human Services Directory] Resolution authorizing the San Francisco Public Library to apply for \$600,000 in grant funds awarded by the U.S. Department of Commerce, National Telecommunications and Information Administration (NTIA), Telecommunications and Information Infrastructure Assistance Program (TAP) to broaden, leverage, and further develop the "San Francisco Connection: Online Human Services Catalog for the City and County of San Francisco" to improve access to knowledge, resources, and City information services; waiving indirect costs. (Public Library) Referred to Government Efficiency/Labor Committee.

File 148-95-002. [Pavement Renovation, Various Streets] From Department of Public Works, amending Resolution 615-92 to add eight streets for pavement renovation; Resolution 615-92 authorized the Director of Public Works to accept and expend Federal funds in the amount of \$7,257,000 for the pavement renovation of various streets that were listed in the resolution. (Also see File 148-92-4) Referred to Government Efficiency/Labor Committee.

File 192-95-003. [Grant - Federal Funds] Resolution authorizing the Executive Director of the

Department of Parking and Traffic to apply for, retroactively, accept and expend up to \$1,177,000 in federal funds for the replacement of traffic signal control equipment and traffic signal retiming within the 19th Avenue-Park Presidio Boulevard signal system, within the north of Market Street signal system, and within the Geary Boulevard signal system, foregoing reimbursement of indirect costs. (Department of Parking and Traffic) Referred to Government Efficiency/Labor Committee.

File 192-95-004. [State Grant, Bicycle Locker Program] Resolution authorizing the Executive Director of the Department of Parking and Traffic to accept and expend \$87,500 from the Transportation Fund for Clean Air in the Bay Area for a Bicycle Locker Program; waiving indirect costs. (Also see Files 133-94-1 and 190-95-3) (Department of Parking and Traffic) Referred to Government Efficiency/Labor Committee.

#### Requests Granted

There being no objection, the Board directed the Clerk to comply with the following requests:

By Supervisor Alioto, that letter of inquiry be sent to City Attorney requesting the estimated cost to the General Fund in defending the City and County against a lawsuit filed by Mayor Frank Jordan, which seeks to overturn the recently adopted "campaign finance reform" ordinance.

By Supervisor Hallinan, that City Attorney prepare Environmental Justice legislation that calls upon local government to regulate environmental impact decisions by distributing equitably the benefits and burdens of City and County environmental problems, and requires the approval of permits to be prohibited for potentially high-impact development projects unless the application includes a description of the project site demographics that include, but are not limited to: 1) unemployment rates, 2) rates of employment decline, 3) poverty rates and the number of people receiving public assistance, 4) decline of economic activity and private investment, 5) population change, and 6) such other indicators as the need to remedy the impacts of direct and indirect pollution in areas with high-population densities or populations that exists in environmental high impact areas.

By Supervisor Kaufman, that letter be sent to the Director of Public Works asking that the hate message inscribed in the sidewalk cement on Grant Avenue at the corner of Green Street be paved over. The message reads: "Kill Jews abroad and at home."

By Supervisors Kaufman, Leal, Alioto that City Attorney prepare legislation urging the Municipal and Superior Court Judges to require offenders to pay fines that will go directly to fund battered women's shelters.

By Supervisor Kennedy, that a letter of inquiry be sent to the Bayview Hunters Point Foundation, c/o Karen Patterson, 150 Executive Park Boulevard, Suite 3100, San Francisco, 94134; inquiring into the hiring process for the Executive Director's position of the Critical Incident Response Team, and that the following questions be answered: 1) What is the role of the Advisory Committee in the hiring process of the Executive Director of the Critical Incident Response Team; 2) the intended process for hiring the new Director; 3) if an Interim Director has been appointed; and if so, the process used for the appointment. Response is requested no later than May 15, 1995.

By Supervisor Leal, that letter of inquiry be sent to the Budget Analyst regarding assistance in reviewing the Department of Parking and Traffic's feasibility study for installing and employing automatic photographic equipment at signal controlled intersections to curtail red light running and the accidents which this problem causes, such review being completed prior to a hearing before the Budget Committee on May 31, 1995.

By Supervisors Migden, Ammiano that City Attorney prepare legislation which will require city-owned/leased buildings to allow bicycle accessibility; have either bike racks or bike closets available in or near the building; if the rack is not indoors, it would be in a highly visible area; racks should allow for the bike frame to be secured with a U-type lock or be able to secure the bike in a standing position; bike spaces should be at least 2' x 6' and at least 78" high; not use general fund money for the purchase of racks, but ask that the City's Bicycle Coordinator apply for grants; allow for building owners to request an exemption through the Department of Parking and Traffic, if the owner can show that there is safe bicycle parking available in, or near, the building; ensure that bike racks do not interfere with pedestrian traffic.

By Supervisor Migden, that City Attorney prepare legislation which will mark a percentage of the domestic partners registration fee to be used to fund domestic violence programs targeting the lesbian and gay community. The amount should be equal to the amount earmarked from marriage licenses on the state level to fund domestic violence programs.



Motions Adopted

Motion that the Board adjourn its meeting this date out of respect to the memory of the following deceased:

Franco Santucci (Supervisors Alioto, Kaufman)  
Darryl Lawrence Hawkins (Supervisor Kennedy)  
Lillian Morse Chilgren (Supervisor Leal)  
Robert Sterman (Supervisors Leal, Migden, Ammiano)

File 2-95-17

Unanimously adopted by a rising vote.

ADJOURNMENT

There being no further business, the Board at the hour of 3:37 p.m. adjourned.

Jean Lum, Acting Clerk

N.B. This Journal of Proceedings sets forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on July 10, 1995

I, John L. Taylor, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Journal of Proceedings of said Board on the date stated and was approved as recited.

John L. Taylor  
Clerk of the Board of Supervisors



Monday, May 8, 1995

# **Journal of Proceedings**

*The Minutes of the*

## **Board of Supervisors**

City and County of San Francisco

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JOURNAL OF PROCEEDINGS

BOARD OF SUPERVISORS

\_\_\_\_\_  
Monday, May 8, 1995 - 2:00 p.m.  
\_\_\_\_\_

The Board of Supervisors of the City and County of San Francisco met in regular session on the above date with President Kevin Shelley presiding.

CALLING THE ROLL

The meeting was called to order at 2:06 p.m. On call of the roll, the following Supervisors were noted present:

Supervisors Ammiano, Bierman, Hsieh, Kaufman, Migden, Shelley, Teng - 7.

Noted absent at first roll call:

Supervisors Alioto, Hallinan, Leal, Kennedy - 4.

Quorum present.

Supervisor Alioto was noted present at 2:09 p.m.

Supervisor Hallinan was noted present at 2:08 p.m.

Supervisor Kennedy was noted present at 2:09 p.m.

Supervisor Leal excused, on official leave of absence.

APPROVAL OF JOURNALS

There being no errors, corrections or omissions, Supervisor Hsieh, seconded by Supervisor Migden, moved that the Journals of Proceedings for Monday, March 20 and March 27, 1995, be approved.

Motion carried by the following vote:

Ayes: Supervisors Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Migden, Shelley, Teng - 8.

Absent: Supervisors Alioto, Kennedy, Leal - 3.

CONSENT CALENDAR

Severed from Consent Calendar

Supervisor Ammiano requested that the following measure be severed from the Consent Calendar and considered separately.

Recommendations of Budget Committee

Finally Passed

[Appropriation, Retirement System]  
Ordinance appropriating \$13,980, Retirement System, from Employees Retirement Trust Fund for services of other departments to provide funding for a Workers' Compensation Adjuster for fiscal year 1994-95. (Controller)

File 101-94-91, Ordinance No. 158-95

(Fiscal Impact.)

Finally passed by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Migden, Shelley, Teng - 10.

Absent: Supervisor Leal - 1 .

The Board thereupon resumed its consideration of the following items on the Consent Calendar.

Consent Calendar

Recommendations of Budget Committee

Finally Passed

[Lease, Beach Chalet]

Ordinance approving a twenty (20) year lease with the Beach Chalet, (L.P.) for the operation of a microbrewery and restaurant on the second floor of the Beach Chalet building. (Supervisors Hsieh, Bierman, Leal, Shelley)

File 65-95-2, Ordinance No. 162-95

(Fiscal Impact.)

Finally passed.

In connection with the above item, Supervisor Shelley requested to be added as co-sponsor.

[James Guelff Fund]

Ordinance amending the Administrative Code, to establish a Peace Officers' Safety Fund for purchase of semi-automatic firearms and related equipment, and accepting gifts to that fund and limiting expenditures from that fund. (Supervisors Shelley, Alioto, Kaufman, Teng)

File 97-95-18, Ordinance No. 167-95

(Adds Section 117-115.)

Finally passed.

Adopted

[Emergency Repairs]

Resolution authorizing expenditure of funds for emergency repairs at Harry W. Tracy Water Treatment Plant. (Public Utilities Commission)

File 28-95-8, Resolution No. 377-95

Adopted.

[Emergency Repair, Post Street]

Resolution authorizing the Director of the Department of Public Works to take necessary measures to protect the health, welfare and property of the citizens of San Francisco by performing the necessary work to replace a structurally inadequate sewer on Post Street between Lyon Street and Presidio Avenue. (Department of Public Works)

File 28-95-9, Resolution No. 378-95

Adopted.

Recommendations of Government Efficiency and Labor Committee

Finally Passed

[Settlement of Litigation, Kathryn Senn]

Ordinance authorizing settlement of litigation of Kathryn Senn against the City and County by payment of \$45,000. (City Attorney)

File 45-95-12, Ordinance No. 159-95

(Superior Court No. 961-777.)

Finally passed.

[Settlement of Litigation, Albert Train Marcu]

Ordinance authorizing settlement of litigation of Albert Train Marcu against the City and County by payment of \$62,500. (City Attorney)

File 45-95-13, Ordinance No. 160-95

(Superior Court No. 951-009.)

Finally passed.

[Settlement of Litigation, Brian Sullivan]

Ordinance authorizing settlement of litigation of Brian Sullivan, et al., against the City and County by payment of \$295,000. (City Attorney)

File 45-95-14, Ordinance No. 161-95

(United States District Court No. C94-2370.)

Finally passed.

[Health Service Plans and Rates of Contribution]

Ordinance amending Administrative Code, approving Health Service System Plans and Rates of Contribution as adopted by the Health Service Board. (Health Service System)

File 97-95-16, Ordinance No. 166-95

(Amends Section 16.157.)

Finally passed.

The foregoing items on the Consent Calendar were acted upon by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Migden, Shelley, Teng - 10.

Absent: Supervisor Lea - 1.

#### REGULAR CALENDAR

#### UNFINISHED BUSINESS

#### Reconsideration by the Board

(Supervisor Teng dissenting in Committee.)

Consideration Continued

[Contract Out, Parking Citation Data Entry]

Resolution concurring with the Controller's certification that parking citation data entry services for the Department of Parking and Traffic Citation Division can be practically performed by a private contractor for a lower cost than similar services performed by City and County employees. (Department of Parking and Traffic)

File 25-95-2, Resolution No.

(April 17, 1995 - Refused Adoption by Board of Supervisors.

April 25, 1995 - Returned by Mayor with request for reconsideration.

May 1, 1995 - Consideration continued to May 8, 1995.)

Supervisor Kennedy, seconded by Supervisor Kaufman, moved to continue consideration to May 15, 1995.

Motion to continue adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Migden, Shelley, Teng - 10.

Absent: Supervisor Leal - 1

Recommendation of Government Efficiency and Labor Committee

Finally Passed

[Urban Forestry]

Ordinance amending Administrative Code, to allow depositing of fees, fines and liens into the Adopt-A-Tree Fund; amending Housing Code to allow the recording of street tree permits on the Report of Residential Building Record; repealing the existing sections of Article 16 of the Public Works Code and adopting new sections to clarify street tree maintenance responsibilities, to provide for in-lieu and replacement fees, to promote the planting and retention of street trees, to initiate a cost recovery fee schedule for street tree removal permits, to clarify and simplify the procedures for tree permits and nuisance tree abatement and to increase the penalties for violations of this article. (Supervisors Hallinan, Leal, Bierman, Shelley, Teng)

File 97-95-8, Ordinance No. 165-95

(Amends Administrative Code Section 10.117-77;  
Amends Housing Code Section 351;  
Repeals existing Public Works Code Sections of Article 16 and adopts new sections.)

Finally passed by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Migden, Shelley, Teng - 10.

Absent: Supervisor Leal - 1

Conference with City Attorney - Litigation

Adopted

Motion that the Board of Supervisors convene in closed session with Deputy City Attorneys Vicki Clayton and Tom Owen, for the purpose of conferring or receiving advice from the City Attorney concerning whether to initiate litigation regarding the arbitration awards for executive ranks in the police and fire departments, as authorized by California Government Code Section 54956.9.

Supervisor Kennedy, seconded by Supervisor Teng, moved adoption.

Motion adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Migden, Shelley, Teng - 10.

Absent: Supervisor Leal - 1.

Recess

The Board recessed at the hour of 2:14 p.m. to convene in closed session.

Reconvening the Board

The Board, at the hour of 2:47 p.m. reconvened.

Calling the Roll

On call of the roll, the following Supervisors were noted present:

Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Migden, Shelley, Teng - 10.

Noted Absent:

Supervisor Leal - 1.

Quorum present.

Supervisor Leal excused. (See supra.)



Report on Closed Session

Deputy City Attorney Tom Owen stated that the Board of Supervisors met in closed session with Deputy City Attorneys Vicki Clayton and Tom Owen, for the purpose of conferring or receiving advice from the City Attorney concerning whether to initiate litigation regarding the arbitration awards for executive ranks in the police and fire departments, as authorized by California Government Code Section 54956.9 and the Board took no action in closed session.

Adopted

Motion that the Board finds it is in the best interest of the public and elects not to disclose its closed session deliberations in pending litigation.

Supervisor Kennedy, seconded by Supervisor Teng, moved adoption.

Motion adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Migden, Shelley, Teng - 10.

Absent: Supervisor Leal - 1.

Appointment of President Pro Tempore

At the request of the President, Supervisor Hallinan assumed the Chair so that the President could participate in the debate.

From Government Efficiency and Labor Committee  
Without Recommendation

Refused Passage for Second Reading

[Memorandum of Understanding, MEA, Police Department]

Ordinance implementing the fiscal provisions of the Arbitrator's Award between the Municipal Executives Association and the City and County for the ranks of 0390 Chief of Police and 0395 Assistant Chief for the period July 1, 1993 through June 30, 1995. (Department of Human Resources)

File 93-95-2, Ordinance No.

(Fiscal Impact.)

(May 1, 1995 - Consideration continued to May 8, 1995.)

Refused passage for second reading by the following vote:

Noes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Migden, Shelley, Teng - 10.

Absent: Supervisor Leal - 1.

Adopted

[Memorandum of Understanding]

Motion directing City Attorney to file challenge to Arbitrator's Award between the Municipal Executives Association and the City and County for the ranks of 0390 Chief of Police and 0395 Assistant Chief for the period July 1, 1993 through June 30, 1995.

File 93-95-2.1

Supervisor Kaufman presented and, seconded by Supervisor Kennedy, moved adoption.

Motion adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Migden, Shelley, Teng - 10.

Absent: Supervisor Leal - 1.

Refused Passage for Second Reading

[Memorandum of Understanding, MEA, Fire Department]

Ordinance implementing the fiscal provisions of the Arbitrator's Award between the Municipal Executives Association and the City and County for the ranks of 0140 Chief of Department, 0145 Assistant Deputy Chief, 0150 Deputy Chief of Department, and H51 Assistant Deputy Chief II for the period July 1, 1993 through June 30, 1995. (Department of Human Resources)

File 93-95-3, Ordinance No.

(Fiscal Impact.)

(May 1, 1995 - Consideration continued to May 8, 1995.)

Refused passage for second reading by the following vote:

Noes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Migden, Shelley, Teng - 10.

Absent: Supervisor Leal - 1.

Adopted

[Arbitrator's Award Challenge]

Motion directing City Attorney to file challenge to Arbitrator's Award between the Municipal Executives Association and the City and County for the ranks of 0140 Chief of Department, 0145 Assistant Deputy Chief, 0150 Deputy Chief of Department, and H51 Assistant Deputy Chief for the period July 1, 1993 through June 30, 1995.

File 93-95-3

Supervisor Kaufman presented and, seconded by Supervisor Kennedy, moved adoption.

Motion adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Migden, Shelley, Teng - 10.

Absent: Supervisor Leal - 1.

The President resumed the Chair.

#### NEW BUSINESS

#### Recommendations of Budget Committee

Passed for Second Reading

[Appropriation, Trial Courts]

Ordinance appropriating and rescinding \$3,100, from salaries and fringe benefits to allow Trial Courts to create one position for fiscal year 1994-95. (Budget Committee)

File 101-94-85, Ordinance No.

(Fiscal Impact.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Hallinan, Hsieh, Kaufman, Migden, Shelley, Teng - 7.

Noes: Supervisors Ammiano, Bierman, Kennedy - 3.

Absent: Supervisor Leal - 1.

[Public Employment, Superior Court]

Ordinance amending Ordinance No. 293-94 (Annual Salary Ordinance 1994-95), Superior Court, reflecting the addition of one position; companion measure to File 101-94-85. (Department of Human Resources)

File 102-94-14, Ordinance No.

(Fiscal Impact.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Hallinan, Hsieh, Kaufman, Migden, Shelley, Teng - 7.

Noes: Supervisors Ammiano, Bierman, Kennedy - 3.

Absent: Supervisor Leal - 1.

Consideration Continued

[In-Home Supportive Services Public Authority]

Ordinance amending the Administrative Code, to establish a Public Authority pursuant to California Welfare and Institutions Code Section 12301.6 to provide for the delivery of in-home supportive services. (Supervisors Shelley, Bierman, Ammiano, Alioto, Teng, Kennedy, Migden, Hallinan, Hsieh, Leal, Kaufman)

File 97-95-20, Ordinance No.

(Adds Chapter 70, consisting of Sections 70.1 through 70.10.)

Supervisor Migden, seconded by Supervisor Alioto, moved to continue consideration to May 30, 1995.

Motion to continue adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Migden, Shelley, Teng - 10.

Absent: Supervisor Leal - 1.

Passed for Second Reading

[Fees, Medical Examiner-Coroner]

Ordinance amending Administrative Code, authorizing the Medical Examiner-Coroner to charge fees for certain services. (Chief Medical Examiner-Coroner)

File 97-95-22, Ordinance No.

(Amends Section 8.14.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Migden, Shelley, Teng - 10.

Absent: Supervisor Leal - 1.

[Hazardous Materials]

Ordinance amending Health Code, to exempt specified categories of medical practitioners from registration renewal, and to make technical changes concerning inspection forms and certain fees. (Supervisors Alioto, Hsieh, Kaufman, Bierman)

File 118-94-3, Ordinance No.

(Fiscal Impact.)

(Amends Sections 1114, 1115, 1161 and 1176.)

(April 25, 1995 - Referred from Health, Public Safety and Environment Committee.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Migden, Shelley, Teng - 10.

Absent: Supervisor Leal - 1.

Adopted

[Sewer Revenue Bonds, Series 1995]

Resolution authorizing and directing the sale of not to exceed \$62,500,000 aggregate initial principal amount of one or more subseries of City and County Sewer Revenue Bonds, Series 1995; approving the

forms of the Notice of Sale and the Notice of Intention to Sell relating thereto; authorizing the publication of the Notice of Intention to Sell; approving the form of the Official Statement; approving the forms of the Bond Reserve Fund Surety Policies; consenting to submission of bid by financial advisor; and authorizing official action. (Chief Administrative Officer)

File 170-95-4.1, Resolution No. 386-95

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Migden, Shelley, Teng - 10.

Absent: Supervisor Leal - 1.

[Sewer Revenue Bonds, Series 1995]

Resolution providing for the issuance of not to exceed \$62,500,000 aggregate Initial Principal amount of City and County Sewer Revenue Bonds, Series 1995 (supplemental to Resolution No. 656-92, adopted August 3, 1992, and Resolution No. 58-94, adopted January 24, 1994), authorizing execution of Sales Certificate and amending certain provisions of Resolution No. 656-92 in connection therewith; companion measure to File 170-95-4.1. (Chief Administrative Officer)

File 170-95-4, Resolution No. 385-95

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Migden, Shelley, Teng - 10.

Absent: Supervisor Leal - 1.

[Appropriation - Police Department]

Resolution urging the Mayor to urge the Police Commission to urge the Chief of Police to effect a surplus fund transfer to provide the Bomb Squad of the Police Department with a new bomb-disarming robot, two protective gear (bomb suits) for members of the Bomb Squad, and upgrade of the Department's existing bomb suit. (Supervisors Kaufman, Teng, Shelley, Hsieh, Bierman)

File 101-94-95, Resolution No.

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Migden, Shelley, Teng - 10.

Absent: Supervisor Leal - 1.

#### Recommendations of Economic Vitality and Social Policy Committee

#### Passed for Second Reading

[Family Violence Council]

Ordinance amending Administrative Code, to establish the Family Violence Council as an advisory body to the Board of Supervisors. (Supervisors Kaufman, Kennedy, Leal, Shelley, Hsieh, Bierman, Migden, Ammiano, Hallinan, Alioto, Teng)

File 97-95-25, Ordinance No.

(Adds Sections 5.190 through 5.190-6.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Migden, Shelley, Teng - 10.

Absent: Supervisor Leal - 1.

In connection with the above item, Supervisors Bierman, Migden, Ammiano, Hallinan, Alioto, Teng requested to be added as co-sponsors.

Consideration Continued

[Online Services]

Resolution requesting the Chief Administrative Officer and the Mayor's Office to identify how much it will cost to place city offices online, ensuring that each city department has an E-mail address; requesting about the feasibility of making information and schedules regarding the Board of Supervisors and other commissions available to the public via the Internet; reporting to the Board of Supervisors about the feasibility of making the process for applications and payment of fees and licenses accessible via computer; place purchase orders and apply for grants via computer. (Supervisors Migden, Leal, Ammiano, Alioto)

File 227-95-2, Resolution No.

Supervisor Migden, seconded by Supervisor Kaufman, moved to continue consideration to May 15, 1995.

Motion to continue adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Migden, Shelley, Teng - 10.

Absent: Supervisor Leal - 1.

Recommendations of Rules Committee

Adopted

[Appointment]

Resolution confirming Mayor's appointment to the Relocation Appeals Board, for term ending January 2, 1998. (Mayor)

File 33-95-4, Resolution No.

(Lynne C. Hermle, vice Betty Jean Brooks, term expired.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Migden, Shelley, Teng - 10.

Absent: Supervisor Leal - 1.

[Appointments]

Resolution confirming Mayor's appointment to the War Memorial Board of Trustees, terms expired, for terms ending January 2, 2001. (Mayor)

File 33-95-5, Resolution No.

(Thomas R. Noonan, vice Ethel Davies;  
David A. Yoder, vice Francesca Naify.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Migden, Shelley, Teng - 10.

Absent: Supervisor Leal - 1.

[Appointments]

Resolution appointing members to the Bicycle Advisory Committee. (Rules Committee)

File 92-95-15, Resolution No.

(Melanie Gaier, Seat No. 24305, Bicycle Organization, vice Merylee Smith Bingham, resigned, for the unexpired portion of three-year term ending December 31, 1996;  
Richard Damm, Seat No. 24309, Bicyclist-at-large, vice Pat McElroy, resigned, for the unexpired portion of three-year term ending December 31, 1995;  
Larry Scott Chinn, Seat No. 24308, Bicyclist-at-large, vice Herbert Koller, resigned, for the unexpired portion of three-year term ending December 31, 1996.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Migden, Shelley, Teng - 10.

Absent: Supervisor Leal - 1.

[Appointments]

Resolution appointing members to the Commission of Animal Control and Welfare, terms expired, for new two-year terms ending April 30, 1997. (Rules Committee)

File 92-95-16, Resolution No.

(Vickie Ho Lynn, Seat No. 20703, Public-at-large, vice Debra M. Fila;  
Lorraine Lucas, Seat No. 20704, Public-at-large, vice Mark S. Hamilton;  
Althea T. Kippes, Seat No. 20705, Public-at-large, vice Dolly B. Trauner;  
Richard Wyatt Schulke, Seat No. 20706, Public-at-large, vice Stanley Mahy.)

(April 24, 1995 - Rereferred to Committee.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Migden, Shelley, Teng - 10.

Absent: Supervisor Leal - 1.

[Board Meeting in Sunset Community]

Motion ordering the June 12, 1995 meeting of the Board of Supervisors to be held at the Irish Cultural Center, 2700 45th Avenue, in the Sunset District of San Francisco at 5:00 p.m. (Supervisor Shelley)

File 54-95-6

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Migden, Shelley, Teng - 10.

Absent: Supervisor Leal - 1.

Conference with Labor Negotiator - Collective Bargaining

Adopted

Motion that the Board of Supervisors convene in closed session with, Wendell Pryor, Director of Human Resources, for the purpose of reviewing the City's position and instructing its designated representatives concerning collective bargaining negotiations involving all forms of compensation (including wages, hours, benefits, and working conditions), with all recognized employee organizations, as authorized by California Government Code Section 54957.6.

Supervisor Kaufman, seconded by Supervisor Hsieh, moved adoption.

Motion adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Migden, Shelley, Teng - 10.

Absent: Supervisor Leal - 1.

Recess

The Board recessed at the hour of 3:30 p.m. to convene in closed session pursuant to above motion.

Reconvening of the Board

The Board, at the hour of 3:55 p.m. reconvened.

Calling the Roll

On call of the roll, the following Supervisors were noted present:

Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Migden, Shelley, Teng - 10.

Noted Absent: Supervisor Leal - 1.

Quorum present.

Supervisor Leal excused. (See supra.)

Report on Closed Session

Adopted

Motion that the Board of Supervisors finds that it is in the best interest of the public and elects not to disclose its closed session deliberations in pending employee relations negotiations.

Supervisor Kaufman, seconded by Supervisor Hsieh, moved adoption.

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Migden, Shelley, Teng - 10.

Absent: Supervisor Leal - 1.

PUBLIC COMMENT

An opportunity for members of the public to directly address the Board on items of interest to the public that are within the subject matter jurisdiction of the Board, including items being considered today which have not been referred to committee, and excluding items which have been considered by a Board committee. Members of the public may address the Board for up to three minutes. The President or the Board may limit the total testimony to 30 minutes.

The privilege of the floor was granted to the following persons:

Rodney, general condition of the City.

There being no one else present wishing to speak, the President declared the public comment portion of the meeting closed.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures were introduced at a prior meeting of the Board with action requested at this meeting. Any Supervisor may require these measures to go to committee unless a motion to suspend the rules is adopted by eight votes (or a unanimous vote if only six or seven members are present). An "aye" vote is (a) a vote in favor of suspending the rule requiring reference to committee; and (b) a vote in favor of adoption of the measures. Eight votes (or a unanimous vote if only six or seven members are present) is required.

Severed From For Adoption Without Committee Reference Calendar

Supervisor Ammiano requested that the following measure be severed from the For Adoption Without Committee Reference Calendar and considered separately.

Adopted

[Winter Storms of 1995]

Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the California Winter Storms of 1995. (Supervisors Shelley, Teng)

File 270-95-003.03

(May 1, 1995 - Introduced in Board for consideration on May 8, 1995.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Hallinan, Hsieh, Kaufman, Kennedy, Migden, Shelley, Teng - 9.

Absent: Supervisors Bierman, Leal - 2.

The Board thereupon resumed its consideration of the following items on the For Adoption Without Committee Reference Calendar.

For Adoption Without Committee Reference Calendar

Adopted

[Family Preservation and Support Plan]

Resolution supporting the Department of Social Services implementation of an integrated and centralized system of family services, and the Department's efforts to obtain funding in the amount of \$1,227,271 from the federal government through the California Department of Social Services for fiscal years 1995 through 1998. (Supervisor Kennedy)

File 153-95-002, Resolution No.

(May 1, 1995 - Introduced in Board for consideration on May 8, 1995.)

Adopted.

[Needle Exchange Emergency]

Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the Needle Exchange Program. (Supervisors Alioto, Leal, Bierman, Shelley, Migden)

File 030-95-001.09

(May 1, 1995 - Introduced in Board for consideration on May 8, 1995.)

Adopted.

The foregoing items on the For Adoption Without Committee Reference Calendar were adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Migden, Shelley, Teng - 10.

Absent: Supervisor Leal - 1.

IMMEDIATE ADOPTION CALENDAR

These measures are being introduced at this meeting. A unanimous vote is required for adoption today. Any Supervisor may require any of these measures to go to committee.

Adopted

[Leaves of Absence]

Resolution granting leaves of absence to various city and county officers with permission to leave the state. (Clerk of the Board)

File 1-95-18, Resolution No.

Adopted.

(Willie B. Kennedy, member, Board of Supervisors, May 11 - 14; Preston Cook, Commissioner, Port of San Francisco, May 7 - 14; Frankie Lee, Commissioner, Port of San Francisco, May 5 - May 13, 1995.)

The foregoing item on the Immediate Adoption Calendar was adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Migden, Shelley, Teng - 10.

Absent: Supervisor Leal - 1.

IMPERATIVE CALENDAR

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt motion (a) or motion (b) and then adopt motion (c). Each motion requires 8 votes or a unanimous 6 or 7. A unanimous vote is required for the resolution(s).

Adopted



[Purely Commendatory Finding]

Motion that the Board finds by roll call vote that the resolutions being considered at this time are purely commendatory.

Supervisor Bierman, seconded by Supervisor Ammiano, moved adoption.

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Migden, Shelley, Teng - 10.

Absent: Supervisor Leal - 1.

[Brown Act Finding]

Motion that the Board find by roll call vote that for the resolutions being considered at this time there is a need to take immediate action and the need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

Supervisor Bierman, seconded by Supervisor Ammiano, moved adoption.

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Migden, Shelley, Teng - 10.

Absent: Supervisor Leal - 1.

Adopted

[Honoring Dr. Edgar Wayburn]

Resolution honoring Dr. Edgar Wayburn, winner of the Annual Albert Schweitzer Prize for Humanitarianism for his fifty years of service to the environmental movement and global population issues.

File 006-95-041, Resolution No.

Supervisor Bierman presented for immediate adoption.

Resolution adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Migden, Shelley, Teng - 10.

Absent: Supervisor Leal - 1.

[Commendation - Angela Hinckle]

Resolution commending Angela Catherine Devere Hinckle, paternal grandmother to Pia Hinckle, a quintessential and unrepentant San Franciscan celebrating her 90th Birthday on May 8, 1995, and for all her work and dedication in aiding San Francisco women in need.

File 006-95-042, Resolution No.

Supervisor Hallinan presented for immediate adoption.

Resolution adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Migden, Shelley, Teng - 10.

Absent: Supervisor Leal - 1.

[Commemorating Lowell High School Centennial]

Resolution commemorating the Centennial of Lowell High School.

File 006-95-044, Resolution No.

Supervisors Shelley, Kaufman, Bierman, Alioto presented for immediate adoption.

Resolution adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Migden, Shelley, Teng - 10.

Absent: Supervisor Leal - 1.

In connection with the above item, Supervisor Alioto requested to be added as co-sponsor.

OFF-CALENDAR LEGISLATION

ROLL CALL FOR INTRODUCTION OF MEASURES AND COMMUNICATIONS  
NOT CONSIDERED OR REPORTED ON BY COMMITTEE

Referred to Committee

[Outreach Advertising Revenue Fund]

Ordinance amending Administrative Code by adding Section 10.117-114 to establish a revenue fund for outreach advertising. Supervisor Hallinan presented. Referred to Budget Committee.

File 97-95-31

[Government Funding]

Ordinance appropriating \$1,138,290, Medi-Cal Revenue to medical services contracts to allow the Department of Public Health-Mental Health to expand drug Medi-Cal eligible substance abuse programs for fiscal year 1994-95, providing for ratification of action previously taken. Supervisor Hsieh presented. Referred to Budget Committee with request that it be considered at the May 17, 1995 meeting.

File 101-94-102.

[Demolition/Alteration of Landmarks]

Ordinance amending City Planning Code by amending Sections 1005, 1006, and 1006.6 to require review of painted murals and exterior alterations visible from a public street to landmarks or in a Historic District, and to set forth a new definition of, and procedures for, demolition. Supervisor Bierman presented. Referred to Housing and Land Use Committee.

File 115-95-003.

Referred to Board

[Commemorating Harvey Milk's 65th Birthday]

Resolution commemorating and honoring Harvey Milk on May 22 in celebration of his 65th Birthday. Supervisors Migden, Leal, Ammiano, Shelley, Hallinan, Alioto presented. Referred to Board for Adoption Without Committee Reference Calendar May 15, 1995.

File 006-95-043.

[Earth Force Task Force Kids Speak Out]

Resolution urging the Environmental Protection Agency and State Environmental Protection Agencies enforce more strongly the laws that protect wildlife from chemical dumping by industry and Congress. Supervisor Alioto presented. Referred to Board for Adoption Without Committee Reference Calendar May 15, 1995.

File 012-95-030.

[New State Building at 455 Golden Gate Ave.]

Resolution requesting that the Joint Powers Authority delay approval of the proposed new State Office Building at 455 Golden Gate Avenue until after May 18, 1995 when the Board of Supervisors Housing and Land Use Committee will review wind, shadow, design and other issues discussed in the Environmental Impact Report (EIR). Supervisor Bierman presented. Referred to Board for Adoption Without Committee Reference Calendar May 15, 1995.

File 012-95-031.

Referred to Committee

[Official Newspapers]

Resolution designating the San Francisco Examiner to be official newspaper of the City and County of San Francisco for specified categories of advertising, and designating the San Francisco Independent to be the official newspaper for other specified categories of official advertising, commencing July 1, 1995. Supervisor Hallinan presented. Referred to Government Efficiency/Labor Committee.

File 112-95-001.

[Outreach Newspapers]

Resolution designating the Small Business Exchange to be outreach newspaper of the City and County of San Francisco for the African-American community; designating the Chinese Times to be outreach newspaper for the Chinese community; designating the San Francisco Sentinel to be outreach newspaper for the Gay/Lesbian/Bisexual community; and designating the San Francisco Latino to be outreach newspaper for the Hispanic community, commencing July 1, 1995, for outreach advertising. Supervisor Hallinan presented. Referred to Government Efficiency/Labor Committee.

File 112-95-002.

Referred to Board

[Grant, American Red Cross]

Resolution authorizing the San Francisco Fire Department to accept and expend \$9,675 from the American Red Cross Northern California Disaster Preparedness Network to fund two Train-The-Trainer classes in the Neighborhood Emergency Response Team Training Program for other northern California communities. Supervisor Alioto presented. Referred to Board for Adoption Without Committee Reference Calendar May 15, 1995.

File 140-95-001.

Referred to Committee

[Grant Application Endorsement]

Resolution endorsing the San Francisco Redevelopment Agency's efforts to secure funding from the United States Environmental Protection Agency's Brownfields Economic Redevelopment Initiative. Supervisor Shelley presented. Referred to the Select Committee on Base Closures with request that it be considered at the May 16, 1995 meeting.

File 161-95-004.

Referred to Board

[Supporting Registered Nurses]

Resolution acknowledging support for Registered Nurses, members of the California Nurses Association, and other healthcare workers. Supervisors Bierman, Alioto presented. Referred to Board for Adoption Without Committee Reference Calendar May 15, 1995.

File 176-95-008.

[Commemorative Work of Art]

Resolution requesting that the Mayor ask the Art Commission to conduct a competition for the creation and authorize the placement of a commemorative work of art at Harvey Milk Plaza in honor of the historic contributions of the late Supervisor Harvey Milk on the occasion of our observance of his 65th Birthday on May 22, 1995. Supervisors Ammiano, Alioto presented.

Referred to Board for Adoption Without Committee Reference Calendar May 15, 1995.

File 197-95-006.

[Liquor License, 2499 Folsom Street]

Resolution opposing the request for an off-sale liquor license proposed for 2499 Folsom Street in the Mission District. Supervisors Leal, Kaufman presented. Referred to Board for Adoption Without Committee Reference Calendar May 15, 1995.

File 223-95-002.

Referred to Committee

[Club Bien Bien Liquor License]

Resolution determining that the issuance of an Alcoholic Beverage Control License to Asia Pacific Entertainment dba Club Bien Bien will serve the convenience and necessity of the City and County of San Francisco, in accordance with Section 23958.4 of the California Business and Professions Code. Supervisor Shelley presented. Referred to Housing and Land Use Committee.

File 223-95-003.

Requests for Hearings:

[Elections Task Force Final Report]

Hearing to consider the Final Report of the Elections Task Force created by Proposition L, November, 1994. Supervisor Hallinan presented. Referred to Government Efficiency/Labor Committee.

File 060-95-003.

[Audit of Tax Collector's Office]

Hearing to consider the findings and recommendations contained in the Budget Analyst's audit of the Tax Collector's Office. Supervisor Hsieh presented. Referred to Budget Committee with request that it be considered at the May 17, 1995 meeting.

File 165-95-004.D1.

[Traffic Light, Third Avenue/Geary Boulevard]

Hearing to consider the feasibility of installing a traffic light at Third Avenue and Geary Boulevard. Supervisor Teng presented. Referred to Housing and Land Use Committee with request that it be considered at the May 18, 1995 meeting.

File 171-95-001.

[Wells Fargo Branch Closure]

Hearing to consider the impending closure of the Wells Fargo Bank Branch at Divisadero and Bush Streets. Supervisor Hallinan presented. Referred to Government Efficiency/Labor Committee.

File 176-95-009.

[Treasure Island Exposition]

Hearing to consider the status of the feasibility report on a Treasure Island Exposition. Supervisor Shelley presented. Referred to Select Committee on Base Closure with request that it be considered at the May 16, 1995 meeting.

File 244-95-020.

Introduced by the President at the Request of Departments

Ordinances Referred to Committee

File 010-95-002. [Permit, U.N. Plaza Farmers' Market] Ordinance approving a temporary revocable permit for a Farmers' Market at United Nations Plaza for the period of May 1, 1995 through June 26, 1995. (To relocate their location on a temporary basis during construction work at United Nations Plaza.) (Chief Administrative Officer) Referred to Housing and Land Use Committee.

File 103-95-002. [1994-95 Nurses Salary Survey] Ordinance adjusting and fixing schedules of compensation effective July 1, 1995, to be paid under the provisions of Charter Section 8.403 to employees occupying classifications: 2320 Registered Nurse, 2323 Clinical Nurse Specialist, 2330 Anesthetist, 2340 Operating Room Nurse, 2830 Public Health Nurse, 2318 Nurse Practitioner, P103 Special Nurse, continuing by reference the incorporation of a Memorandum of Understanding between the City and County of San Francisco and SEIU Local 790 (Staff Nurses) which established conditions and benefits of employment other than wages for said classifications. (Copy of CSC Report No. 0268-95-3 dated May 1, 1995 attached.) (Civil Service Commission) Referred to Government Efficiency/Labor Committee with request it be considered at the May 9, 1995 meeting.

File 172-95-018. [Agreement, Health Service System-DPH] Ordinance amending Health Code by adding Article 27, encompassing Section 1700, to authorize an agreement between the Health Service System and the Department of Public Health, making the department a preferred provider of medical services under the City administered health plan and imposing certain obligations on City Officials. (Department of Public Health) Referred to Government Efficiency/Labor Committee.

Resolutions Referred to Committee

File 025-95-010. [Prop J Contract, Security Services] Resolution concurring with the Controller's certification that security services can be practically performed at the Department of Social Services by private contractor for lower cost than similar work performed by City and County employees. (Department of Social Services) Referred to Government Efficiency/Labor Committee.

File 025-95-011. [Contracting Out City Services] Resolution concurring with Controller's certification that convention facilities management operation and maintenance service can be

practically performed at Brooks Hall, Civic Auditorium and Moscone Center by private contractor for lower cost than similar work services performed by the City and County employees. (Chief Administrative Officer) Referred to Government Efficiency/Labor Committee.

File 040-95-011. [Residential Parking Area "S", Duboce Triangle] Resolution extending the boundaries of Residential Permit Parking Area "S" in the Duboce Triangle Area and adding to the list of streets upon which time limitations shall apply. (Department of Parking and Traffic) Referred to Housing and Land Use Committee.

File 040-95-012. [Residential Parking Area "S", Duboce Triangle] Resolution extending the boundaries of Residential Permit Parking Area "S" in the Duboce Triangle Area and adding to the list of streets upon which time limitations shall apply. (Department of Parking and Traffic) Referred to Housing and Land Use Committee.

File 054-95-007. [Cancelling Board Meeting of July 3, 1995] Resolution revising the regular meeting schedule of the Board of Supervisors by cancelling the meeting of July 3, 1995. (Acting Clerk of the Board) Referred to Rules Committee.

File 068-95-006. [Grant, Summer Food Program] Resolution authorizing the Mayor to apply for, accept and expend \$825,958 from the United States Department of Agriculture (USDA) to sponsor the Summer Food Service Program for needy children. (Mayor) Referred to Government Efficiency/Labor Committee.

File 146-95-006. [State Grant, Solid Waste Management] Resolution authorizing the Department of Public Health, Bureau of Environmental Health Management, to apply for, accept and expend a grant of \$22,004, from the California Integrated Waste Management Board, for the support of the Bureau of Environmental Health Management, local enforcement agency's solid waste facilities permitting and inspection program; waiving indirect cost. (Department of Public Health) Referred to Government Efficiency/Labor Committee.

File 148-95-003. [Grant-State, Bicycle/Pedestrian Projects] Resolution authorizing the Director of Public Works and the Executive Director of the Department of Parking and Traffic to execute documents necessary to apply for, accept and expend \$573,107 of Transportation Development Act (TDA) Article 3 Funds Bicycle and Pedestrian Projects including all indirect costs. (Department of Public Works) Referred to Government Efficiency/Labor Committee.

#### Requests Granted

There being no objection, the Board directed the Clerk to comply with the following requests:

By Supervisor Hallinan, that City Attorney and Ethics Commission be requested to investigate the legality of the referendum committee against the campaign spending cap, and whether it is, in fact, a candidate controlled committee subject to the City and County's contribution limitations.

By Supervisor Migden, that City Attorney prepare legislation which will require anyone who sells ammunition to ask for identification and provide personal data on a form listing the date of sale, buyer's name, address, date of birth, social security number, driver's license or other ID, brand or type of ammunition, amount purchased and the buyer's signature.

By Supervisor Shelley, that City Attorney prepare legislation to amend the Administrative Code, Section 15.9, to change the name of the Drug Abuse Advisory Board to the Substance Abuse Advisory Board in order to better reflect the duties of the organization.

#### Motions Adopted

Motion that the Board adjourn its meeting this date out of respect to the memory of the following deceased:

Gloria Davis (By the entire Board)  
Dorothy Anixter (Supervisor Kaufman)  
Lewis McDonald (Supervisor Kennedy)  
Roselyn McClinton (Supervisor Kennedy)  
Edward Manuel Winfrey (Supervisor Kennedy)  
Mary Elizabeth Phillips (Supervisor Kennedy)  
Dr. Man-him B. Kwok (Supervisor Teng)

File 2-95-18

Unanimously adopted by a rising vote.

Monday, May 8, 1995

ADJOURNMENT

There being no further business, the Board at the hour of 4:26 p.m. adjourned.

Jean Lum, Acting Clerk

N.B. This Journal of Proceedings sets forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on July 10, 1995.

I, John L. Taylor, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Journal of Proceedings of said Board on the date stated and was approved as recited.

John L. Taylor  
Clerk of the Board of Supervisors

Monday, May 15, 1995

# **Journal of Proceedings**

*The Minutes of the*

## **Board of Supervisors**

City and County of San Francisco

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JOURNAL OF PROCEEDINGS

BOARD OF SUPERVISORS

Monday, May 15, 1995 - 2:00 p.m.

The Board of Supervisors of the City and County of San Francisco met in regular session on the above date with President Kevin Shelley presiding.

CALLING THE ROLL

The meeting was called to order at 2:12 p.m. On call of the roll, the following Supervisors were noted present:

Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Migden, Shelley, Teng - 9.

Noted absent at first roll call:

Supervisors Kennedy, Leal - 2.

Quorum present.

Supervisor Kennedy was noted present at 2:24 p.m.

Supervisor Leal excused, on official leave of absence.

APPROVAL OF JOURNALS

There being no errors, corrections or omissions, Supervisor Teng, seconded by Supervisor Migden, moved that the Journals of Proceedings for Monday, April 3 and April 10, 1995, be approved.

Motion carried by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Migden, Shelley, Teng - 9.

Absent: Supervisors Kennedy, Leal - 2.

CONSENT CALENDAR

Severed from Consent Calendar

Supervisor Hallinan requested that the following measure be severed from the Consent Calendar and considered separately.

Recommendation of Housing and Land Use Committee

Adopted

[Stop Signs, 3rd Avenue and Geary Boulevard]  
Resolution rescinding Resolution No. 43-95 designating 3rd Avenue and Geary Boulevard as Stop intersections. (Supervisor Migden)

File 18-95-7, Resolution No. 394-95

(Stop Signs - Rescind

3rd Avenue and Geary Boulevard, northeast and southwest corners, stopping Geary Boulevard (restores two-way Stop).)

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Migden, Shelley, Teng - 9.

Absent: Supervisors Kennedy, Leal - 2.

The Board thereupon resumed its consideration of the following items on the Consent Calendar.

Consent Calendar

Recommendations of Budget Committee

Finally Passed

[Fees, Medical Examiner-Coroner]

Ordinance amending Administrative Code, authorizing the Medical Examiner-Coroner to charge fees for certain services. (Chief Medical Examiner-Coroner)

File 97-95-22, Ordinance No. 169-95

(Amends Section 8.14.)

Finally passed.

[Hazardous Materials]

Ordinance amending Health Code, to exempt specified categories of medical practitioners from registration renewal, and to make technical changes concerning inspection forms and certain fees. (Supervisors Alioto, Hsieh, Kaufman, Bierman)

File 118-94-3, Ordinance No. 168-95

(Fiscal Impact.)

(Amends Sections 1114, 1115, 1161 and 1176.)

(April 25, 1995 - Referred from Health, Public Safety and Environment Committee.)

Finally passed.

Recommendations of Economic Vitality and Social Policy Committee

Finally Passed

[Family Violence Council]

Ordinance amending Administrative Code, to establish the Family Violence Advisory Council as an advisory body to the Board of Supervisors. (Supervisors Kaufman, Kennedy, Leal, Shelley, Hsieh, Bierman, Migden, Ammiano, Hallinan, Alioto, Teng)

File 97-95-25, Ordinance No. 170-95

(Adds Sections 5.190 through 5.190-6.)

Finally passed.

Recommendations of Government Efficiency and Labor Committee

Passed for Second Reading

[Lease Modification, Port, Redevelopment Agency]

Ordinance approving Second Amendment to Option to Lease Real Property and First Amendment to leases between the Port and the Redevelopment Agency for properties in the South Beach Redevelopment Area. (Port)

File 65-95-3, Ordinance No.

Passed for second reading.

Adopted

[Disaster Relief Fund]

Resolution authorizing the Chief Administrative Officer and other designated City and County officials to execute and file, on behalf of the Department of Public Works, an application for federal and state financial assistance under the Robert T. Stafford Federal Disaster Relief and Emergency Assistance Act and the State Natural Disaster Assistance Act for funds as a result of the 1995 late winter storms. (Chief Administrative Officer)

File 133-95-3, Resolution No. 402-95

Adopted.

[Federal Grant - Project Read]

Resolution authorizing the City Librarian to apply for funds not to exceed \$28,140 available from the United States Department of Education for a Project Read Outreach Program; indirect costs of 5 percent are included in this grant. (Public Library)

File 147-95-2, Resolution No. 404-95

Adopted.

[Federal Grant - Project Read]

Resolution authorizing the City Librarian to apply for funds not to exceed \$23,741 available from the United States Department of Education for a Project Read Student Support Program; indirect costs of 5 percent are included in this grant. (Public Library)

File 147-95-3, Resolution No. 405-95

Adopted.

[Federal Grant - Project Read]

Resolution authorizing the City Librarian to apply for funds not to exceed \$27,211 available from the United States Department of Education for a Project Read Tutor Support Program; indirect costs of five percent included in this grant. (Public Library)

File 147-95-4, Resolution No. 406-95

Adopted.

[Parking Regulations, Various Locations]

Resolution enacting and rescinding parking regulations at various locations. (Housing and Land Use Committee)

File 19-95-5, Resolution No. 395-95

(No Parking, 6 am -9 am, Monday through Friday, except vehicles with Vanpool permits - Establish  
Otis Street, south side, from Duboce Avenue to 107 feet easterly (107-foot zone replacing at meter nos. 145, 147, 149, 151, and 153).

No Parking, except 7 am - 8:30 am and 1:30 pm - 3:30 pm, School days - Establish  
West Junipero Serra Boulevard frontage road, east side, between Rossmoor and Stonecrest Drives.

Diagonal (45-degree angle) Parking Establish  
Prado Street, just south of Cervantes Boulevard, within painted traffic island (creates 6 new parking spaces).

One Hour Parking time limit, 7 am - 6 pm, Monday through Friday--  
Rescind  
Clementina Street, south side, between 4th and 5th Streets (to be replaced by metered parking).

Parking Meter Area No. 2 (One-Hour Parking time limit, 7 am - 6 pm, Monday through Saturday) -  
Establish  
Clementina Street, south side, between 4th and 5th Streets (replaces existing one-hour restriction).  
Minna Street, south side, between 4th and 5th Streets.

Tow-Away, No Parking, School days, except SFUSD Mobile classrooms-- Rescind  
10th Street, west side, from 137 feet to 177 feet north of Folsom Street (40-foot zone).

Two-hour Parking time limit, 7 am - 6 pm, Monday through Friday - Establish  
Potrero Avenue, east side, between 16th and 17th Streets.)

Adopted.

[Traffic Regulations, Egbert Avenue]

Resolution authorizing the closure of Egbert Avenue, east end, at Hawes Street to create a dead-end street. (Department of Parking and Traffic)

File 20-95-5, Resolution No. 396-95

Adopted.

[Traffic Regulations, Various Locations]

Resolution enacting and rescinding traffic regulations at various locations. (Housing and Land Use Committee)

File 20-95-6, Resolution No. 397-95

(No Left Turn - Establish

Duboce Avenue, eastbound, at Fillmore Street.

No Stopping, 7 am - 8:30 am and 1:30 pm - 3:30 pm, School days - Establish

West Junipero Serra Boulevard frontage road, east side, between Rossmoor and Stonecrest Drives.

No Turn on Red, 8 am - 3 pm, Monday through Friday - Rescind

No turn on Red, 8 am - 4 pm, Monday through Friday - Establish

Ellis and Gough Streets, all approaches (facing southbound, eastbound and westbound traffic).

Tow-Away, No Stopping, 7 am - 9 am, Monday through Friday - Rescind.

McAllister Street, south side, between Franklin Street and Van Ness Avenue.

Tow-Away, No Stopping Anytime - Establish

NOTE: The following changes are being proposed as a part of the Market Street Renovation Project.

Market Street, north side, from Church Street to 160 feet easterly (160-foot zone, reduces existing zone to accommodate 2 new meter stalls).

Market Street, north side, from Sanchez Street to 164 feet easterly (164-foot zone along sidewalk bulb and two driveways).

Market Street, south side, between Clinton Park and Duboce Avenue.

Market Street, south side, from 15th Street to 141 feet easterly (141-foot zone along sidewalk bulb).

Market Street, south side, from Noe Street to 97 feet westerly (97-foot zone, replaces meter nos. 2305 and 2307).

Market Street, south side, from Sanchez Street to 50 feet westerly (50-foot zone along sidewalk bulb.)

Adopted.

[Traffic Regulations, Various Locations]

Resolution enacting and rescinding traffic regulations at various locations. (Housing and Land Use Committee)

File 20-95-7, Resolution No. 398-95

(Pedestrian Crosswalk Closure - Establish

Clay and Davis Streets, west crosswalk, crossing Clay Street (closes crosswalk);

Washington and Davis Streets, west crosswalk, crossing Washington Street (closes crosswalk).

Pedestrian Crosswalk Closure - Rescind

Clay and Davis Streets, east crosswalk, crossing Clay Street (re-opens crosswalk);

Washington and Davis Streets, east crosswalk, crossing Washington Street (re-opens crosswalk).

Tow-Away, No Stopping Anytime - Establish

La Playa Street, west side, from Cabrillo Street to 105 feet northerly (105-foot zone for bus turning clearance);

McAllister Street, north side, from Gough Street to 60 feet easterly (60-foot zone).

Tow-Away, No Stopping, 4 pm - 6 pm, Monday through Friday - Rescind

McAllister Street, north side, between Franklin and Gough Streets.

Tow-Away, No Stopping, 7am - 6 pm, Monday through Friday - Rescind

Clay Street, south side, from 50 feet to 75 feet east of Liedesdorff Street (shortens existing tow-away zone by 25 feet to accommodate 1 new metered stall).

Tow-Away, No Stopping 7 am - 6 pm, Monday through Friday - Rescind  
Tow Away, No Stopping, 7 am - 9 am and 3 pm - 6 pm, Monday through Friday - Establish  
Clay Street, south side, between Montgomery and Lienesdorff Streets (change in effective hours only).)

Adopted.

[Residential Parking "U", South of Market]  
Resolution revising the time limitations for a certain street within Residential Permit Parking Area "U" in the South of Market Area. (Department of Parking and Traffic)

File 40-95-9, Resolution No. 400-95

Adopted.

[Residential Parking Area "S", Duboce Triangle Area]  
Resolution extending the boundaries of Residential Permit Parking Area "S" in the Duboce Triangle Area and establishing a new time limitation for a certain street. (Department of Parking and Traffic)

File 40-95-10, Resolution No. 401-95

Adopted.

The foregoing items on the Consent Calendar were acted upon by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Migden, Shelley, Teng - 9.

Absent: Supervisors Kennedy, Leal - 2.

#### Appointment of President Pro Tempore

At the request of the President, Supervisor Hallinan assumed the Chair so the President could participate in the debate from the floor.

#### REGULAR CALENDAR

#### UNFINISHED BUSINESS

#### Reconsideration by the Board

(Supervisor Teng dissenting in Committee.)

Tabled

[Contract Out, Parking Citation Data Entry]  
Resolution concurring with the Controller's certification that parking citation data entry services for the Department of Parking and Traffic Citation Division can be practically performed by a private contractor for a lower cost than similar services performed by City and County employees. (Department of Parking and Traffic)

File 25-95-2, Resolution No.

(April 17, 1995 - Refused Adoption by Board of Supervisors;  
April 25, 1995 - Returned by Mayor with request for reconsideration.)

(May 8, 1995 - Consideration continued to May 15, 1995.)  
May 22, 1995 - Last Board meeting to act.

Supervisor Shelley, seconded by Supervisor Kaufman, moved to table.

Tabled by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Migden, Shelley - 8.

Absent: Supervisors Kennedy, Leal, Teng - 3.

The President reassumed the Chair.

Recommendations of Budget Committee

Finally Passed

[Appropriation, Trial Courts]

Ordinance appropriating and rescinding \$3,100, from salaries and fringe benefits to allow Trial Courts to create one position for fiscal year 1994-95. (Budget Committee)

File 101-94-85, Ordinance No. 163-95

(Fiscal Impact.)

Finally passed by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Migden, Shelley - 8.

Absent: Supervisors Kennedy, Leal, Teng - 3.

[Public Employment, Superior Court]

Ordinance amending Ordinance No. 293-94 (Annual Salary Ordinance 1994-95), Superior Court, reflecting the addition of one position; companion measure to File 101-94-85. (Department of Human Resources)

File 102-94-14, Ordinance No.

(Fiscal Impact.)

Finally passed by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Migden, Shelley - 8.

Absent: Supervisors Kennedy, Leal, Teng - 3.

Recommendation of Economic Vitality and Social Policy Committee

Adopted as Amended

[Online Services]

((Resolution requesting the Chief Administrative Officer and the Mayor's Office to identify how much it will cost to place city offices online, ensuring that each city department has an E-mail address; requesting about the feasibility of making information and schedules regarding the Board of Supervisors and other commissions available to the public via the Internet; reporting to the Board of Supervisors about the feasibility of making the process for applications and payment of fees and licenses accessible via computer; place purchase orders and apply for grants via computer.)) (Supervisors Migden, Leal, Ammiano, Alioto)

Resolution requesting the Chief Administrative Officer, Mayor, Board Budget Analyst and Controller's Information Services Division working through the City's Electronic Information Processing Steering Committee identify how much it will cost to place city offices online, ensuring that each city department has an E-mail address; report back to the Board of Supervisors about the feasibility of making information and schedules regarding the Board of Supervisors and other commissions available to the public via the Internet; reporting to the Board of Supervisors about the feasibility of making the process for applications and payment of fees and licenses accessible via computer; requesting that they find ways for City Departments to place purchase orders and apply for grants via computer.

File 227-95-2, Resolution No. 368-95

(May 8, 1995 - Consideration continued to May 15, 1995.)

Supervisor Migden, seconded by Supervisor Kaufman, moved an amendment of the whole entitled: "Resolution requesting the Chief Administrative Officer, Mayor, Board Budget Analyst and Controller's Information Services Division working through the City's Electronic Information Processing Steering Committee identify how much it will cost to place city offices online, ensuring that each city department has an E-mail address; report back to the Board of Supervisors about the feasibility of making information and schedules regarding the Board of Supervisors and other commissions available to the public via the Internet; reporting to the Board of Supervisors about the feasibility of making the process for applications and payment of fees and licenses accessible via computer; requesting that they find ways for City Departments to place purchase orders and apply for grants via computer."

Amendment of the whole adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Migden, Shelley, Teng - 10.

Absent: Supervisor Leal - 1.

Adopted as amended by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Migden, Shelley, Teng - 10.

Absent: Supervisor Leal - 1.

In connection with the above item, Supervisor Teng requested to be added as co-sponsor.

NEW BUSINESS

Recommendations of Budget Committee

Passed for Second Reading

[Government Funding - Dept. Public Works]

Ordinance appropriating \$3,978,141 from the Clean Water Operating Fund (Rate Stabilization Fund) to allow the Department of Public Works to meet debt service requirements for fiscal year 1994-95. (Controller)

File 101-94-96, Ordinance No.

(Fiscal Impact.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Migden, Shelley, Teng - 10.

Absent: Supervisor Leal - 1.

[Government Funding - Assessment Appeals Board]

Ordinance appropriating \$17,900 of Other Government Service Charges to allow the Board of Supervisors to pay fees and other compensations to Hearing Officers and Assessment Appeals Board members for fiscal year 1994-95. (Controller)

File 101-94-97, Ordinance No.

(Fiscal Impact.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Migden, Shelley, Teng - 10.

Absent: Supervisor Leal - 1.

[Environmental Review Fees]

Ordinance amending the Administrative Code, to institute new fees, increase fees, modify fees and extend the period certain fees are charged for environmental review procedures. (Department of City Planning)

File 97-95-27, Ordinance No.

(Amends Section 31.36A.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Migden, Shelley, Teng - 10.

Absent: Supervisor Leal - 1.

Passed for Second Reading as Amended

[Planning Fees and Initiation of Amendments]

Ordinance amending Article 2, Article 3 and Article 3.54 of the City Planning Code, to authorize citizens to request amendments to the City Planning Code, to impose new fees, change the amount of fees currently charged relating to Department of City Planning actions, activities and services. (Department of City Planning)

File 115-95-2, Ordinance No.

(Amends Sections 228.4, 302, 350 through 353, 355 through 358.)

Supervisor Hsieh, seconded by Supervisor Kaufman, moved to amend title, line 4, after "355" by inserting ", 357 and"; amend page 27, line 22 after the word "paid" to delete the following: "((())), time and materials not exceed two times the initial fee, without providing an estimate of cost."; amend line 24 after the word "appropriateness" to delete "Fee Schedule; amend line 25 after the word "cost" to delete "Initial"; amend page 28, line 3 after "\$10,000" to delete "(( )) to \$4,999,999; amend lines 5-9 to delete "5,000,000 or more \$27,670 plus time and materials beyond the fee paid, not to exceed twice the amount of the initial fee."

Motion to amend adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Migden, Shelley, Teng - 10.

Absent: Supervisor Leal - 1.

Passed for second reading as amended by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Migden, Shelley, Teng - 10.

Absent: Supervisor Leal - 1.

Adopted

[Urban Search and Rescue Task Force]

Resolution urging the Mayor to urge the Fire Commission to immediately allocate funding to fully equip the Urban Search and Rescue Task Force for the current fiscal year, and urging the Mayor to include in his fiscal year 1995-96 budget the funding requested by the Fire Department for the Task Force. (Supervisors Hsieh, Kaufman, Bierman, Shelley, Teng)

File 208-95-4, Resolution No. 411-95

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Migden, Shelley, Teng - 10.

Absent: Supervisor Leal - 1.

In connection with the above item, Supervisors Shelley, Teng requested to be added as co-sponsors.

(Supervisor Kaufman dissenting in Committee.)

[Initiating Proceedings to Form Assessment District]

Resolution initiating proceedings pursuant to State law in order to form "PRIDE", a Benefit Assessment District to fund maintenance of park property. (Supervisors Hsieh, Bierman, Leal, Teng, Alioto)

File 231-95-1, Resolution No. 388-95

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kennedy, Migden, Teng - 8.

Noes: Supervisors Kaufman, Shelley - 2.

Absent: Supervisor Leal - 1.



Recommendations of Government Efficiency and Labor Committee

Passed for Second Reading

[Settlement of Litigation, A. Woodruff, Jr.]

Ordinance authorizing settlement of litigation of Alexander Woodruff, Jr. against the City and County by payment of \$405,224. (City Attorney)

File 45-95-15, Ordinance No.

(Superior Court No. 932-772.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Migden, Shelley, Teng - 10.

Absent: Supervisor Leal - 1.

Refused Passage for Second Reading As Amended

(Supervisor Teng dissenting in Committee.)

[Major League Team Professional Athletes]

Ordinance amending Administrative Code, to require that all contracts, leases and other agreements by which the City permits City facilities to be used by professional, major league sports teams for more than one year include a provision that requires such teams to use major league quality athletes. (Supervisor Ammiano)

File 97-95-13, Ordinance No.

(Adds Section 6.61.)

Supervisor Hallinan, seconded by Supervisor Bierman, moved to amend page 2, line 23 after the words "more than" to delete "twenty" and insert "fifty".

Motion to amend adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Migden, Shelley, Teng - 9.

Noes: Supervisor Kennedy - 1.

Absent: Supervisor Leal - 1.

Refused passage for second reading as amended by the following vote:

Ayes: Supervisors Ammiano, Bierman, Hallinan, Shelley - 4.

Noes: Supervisors Alioto, Hsieh, Kaufman, Kennedy, Migden, Teng - 6.

Absent: Supervisor Leal - 1.

Passed for Second Reading

[Disposition of Indigent Dead]

Ordinance amending Health Code and Administrative Code to authorize the Medical Examiner to dispose of the indigent dead by burial or cremation. (Chief Medical Examiner-Coroner)

File 97-95-23, Ordinance No.

(Repeals Health Code Section 210;  
Amends Administrative Code Section 6.62.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Migden, Shelley, Teng - 10.

Absent: Supervisor Leal - 1.

[1994-95 Nurses Salary Survey]

Ordinance adjusting and fixing schedules of compensation effective July 1, 1995, to be paid under the provisions of Charter Section 8.403 to employees occupying classifications: 2320 Registered Nurse, 2323 Clinical Nurse Specialist, 2330 Anesthetist, 2340 Operating Room Nurse, 2830 Public Health Nurse, 2328 Nurse Practitioner, P103 Special Nurse, continuing by reference the incorporation of a Memorandum of Understanding between the City and County of San Francisco and SEIU Local 790 (Staff Nurses) which established conditions and benefits of employment other than wages for said classifications. (Civil Service Commission)

File 103-95-2, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Migden, Shelley, Teng - 10.

Absent: Supervisor Leal - 1.

Passed for Second Reading as Amended

[Compensation, Superior Court, Fiscal Year 1994-95]

Ordinance setting schedules of compensation and other economic benefits for certain classifications of persons employed by the Superior Court for the City and County. (Municipal Court)

File 106-95-3, Ordinance No.

Supervisor Hallinan, seconded by Supervisor Kaufman, moved an amendment of the whole bearing same title as above.

Amendment of the whole adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Migden, Shelley - 9.

Absent: Supervisors Leal, Teng - 2.

Passed for second reading as amended by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Migden, Shelley - 9.

Absent: Supervisors Leal, Teng - 2.

Passed for Second Reading

[Compensation, Municipal Court, FY 1994-95]

Ordinance setting schedules of compensation and other economic benefits for certain classifications of persons employed by the Municipal Court for the City and County. (Municipal Court)

File 106-95-5, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Migden, Shelley - 9.

Absent: Supervisors Leal, Teng - 2.

Adopted

[Federal Grant - Compact Disc-Interactive Program]

Resolution authorizing the Public Transportation Commission to apply for, accept and expend \$70,000 of National Research Council Transportation Research Board Funds, through its Transit-Idea Program, to develop a Compact Disc-Interactive (CD-I) Training Program to combat violence against MUNI personnel; and waiving all indirect costs associated with the grant. (Municipal Railway)

File 147-95-5, Resolution No. 407-95

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Migden, Shelley - 9.

Absent: Supervisors Leal, Teng - 2.

[Transit Advertising Agreement]

Resolution approving a three-year extension of transit advertising agreement between City and County, through its Public Transportation Commission, and Transportation Displays Incorporated. (Supervisor Shelley)

File 172-95-17, Resolution No. 408-95

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Migden, Shelley - 9.

Absent: Supervisor Leal, Teng - 2.

[Policy for Retaining Garment Industry Jobs]

Resolution urging the Mayor's Office to continue and expand its efforts to assist Lilli Ann workers to find a buyer for Lilli Ann Corporation; further stating the intention of the City and County to develop policies and plans for retaining jobs in the garment industry. (Supervisors Teng, Bierman, Hallinan, Ammiano, Alioto, Kennedy, Shelley)

File 176-95-7, Resolution No. 409-95

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Migden, Shelley, Teng - 10.

Absent: Supervisors Leal - 1.

In connection with the above item, Supervisors Alioto, Kennedy, Shelley requested to be added as co-sponsors.

Adopted as Amended

[Permit, United Nations Plaza, Feeding Services]

Resolution issuing permit to Food Not Bombs pursuant to Administrative Code Section 2.74 for Food Not Bombs to conduct feeding services on the Hyde Street side of United Nations Plaza on Tuesdays and Thursdays between 11:00 a.m. and 2:00 p.m. contingent on obtaining health permits. (Supervisors Hallinan, Bierman, Ammiano, Alioto)

File 215-95-1, Resolution No. 415-95

Supervisor Hallinan, seconded by Supervisor Kaufman, moved to amend title, line 6, after "2:00 p.m." by adding "contingent on obtaining health permits"; amend page 1, line 11, following the word "has" by deleting "taken"; amend page 1, line 12, following the words "ensuring that" by deleting "two"; amend page 1, line 13, after the words "Public Health" by adding the word "will"; amend page 2, line 6 following "2:00 p.m." by adding the following: "; and, be it FURTHER RESOLVED, That such site use permit issued by the Board of Supervisors shall be in effect provided that Food Not Bombs remains in compliance with applicable state and local health codes and receives and maintains the necessary permits from the San Francisco Health Department to serve food."

Motion to amend adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Migden, Shelley, Teng - 10.

Absent: Supervisor Leal - 1.

Adopted as amended by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Migden, Shelley, Teng - 10.

Absent: Supervisor Leal - 1.

Recommendation of Health, Public Safety and Environment Committee

Passed for Second Reading

[Enforcement of Smoking Prohibitions]

Ordinance amending Health Code, to provide for enforcement by San Francisco Public Health and Police Departments of California Labor Code Section 6404.5 regarding smoking in enclosed places of employment. (Supervisor Alioto)

File 118-95-1, Ordinance No.

(Adds Article 19G, consisting of Section 1009.40.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Migden, Shelley, Teng - 10.

Absent: Supervisor Leal - 1.

Recommendations of Housing and Land Use Committee

Adopted

[Final Negative Declaration, Jamestown Avenue and Harney Way]  
Resolution adopting Final Negative Declaration, finding and determining that reclassification of property from a RH-1 (House, One Family) Residential District to a C-2 (Community Business) District of property located at the northeast corner of Jamestown Avenue and Harney Way, Lot 8 in Assessor's Block 4977 and Lot 8 in Assessor's Block 5023 will have no significant impact on the environment, and adopting and incorporating findings of Final Negative Declaration. (Department of City Planning)

File 36-95-2, Resolution No. 399-95

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Migden, Shelley, Teng - 10.

Absent: Supervisors Leal - 1.

Passed for Second Reading

[Zoning Map Amendment, Jamestown Avenue and Harney Way]  
Ordinance adopting changes in property use classification as an amendment to the Zoning Map of property located at the intersection of Jamestown Avenue and Harney Way, Lot 8, Assessor's Block 4977 and Lot 8, Assessor's Block 5023, from an RH-1 District to a C-2 District and adopting findings pursuant to Planning Code Section 101.1; companion measure to File 36-95-2. (Department of City Planning)

File 36-95-2.1, Ordinance No.

(Approved by City Planning Resolution No. 13822.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Migden, Shelley, Teng - 10.

Absent: Supervisor Leal - 1.

PUBLIC COMMENT

The privilege of the floor was granted to the following persons:

Dehnert Queen, Mission Bay ball park;  
William Wong and 4 students, Earth Force;  
Michael Hillson, food for Homeless;  
Male speaker, food for homeless;  
Phillip Carlson, DeYoung Museum bond measure.

There being no one else present wishing to speak, the President declared the public hearing comment portion of the meeting closed.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures were introduced at a prior meeting of the Board with action requested at this meeting. Any Supervisor may require these measures to go to committee unless a motion to suspend the rules is adopted by eight votes (or a unanimous vote if only six or seven members are present). An "aye" vote is (a) a vote in favor of suspending the rule requiring reference to committee, and (b) a vote in favor of adoption of the measures. Eight votes (or a unanimous vote if only six or seven members are present) is required.

Severed From For Adoption Without Committee Reference Calendar

Supervisor Alioto requested that the following measure be severed from the For Adoption Without Committee Reference Calendar and considered separately.

Adopted

[Earth Force Task Force Kids Speak Out]  
Resolution urging the Environmental Protection Agency and State Environmental Protection Agencies enforce more strongly the laws that protect wildlife from chemical dumping by industry and Congress. (Supervisor Alioto)

File 12-95-30, Resolution No. 393-95

(May 8, 1995 - Introduced in Board for consideration on May 15, 1995.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Migden, Shelley, Teng - 10.

Absent: Supervisor Leal - 1.

Severed From For Adoption Without Committee Reference Calendar

Supervisor Hallinan requested that the following measure be severed from the For Adoption Without Committee Reference Calendar and considered separately.

Referred to Committee

[Supporting Registered Nurses]  
Resolution acknowledging support for Registered Nurses, members of the California Nurses Association, and other healthcare workers. (Supervisors Bierman, Alioto)

File 176-95-8, Resolution No.

(May 8, 1995 - Introduced in Board for consideration on May 15, 1995.)

At the request of Supervisor Hallinan referred to Government Efficiency and Labor Committee.

The Board thereupon resumed its consideration of the following items on the For Adoption Without Committee Reference Calendar.

For Adoption Without Committee Reference Calendar

Adopted

[Commemorating Harvey Milk's 65th Birthday]  
Resolution commemorating and honoring Harvey Milk on May 22 in celebration of his 65th Birthday. (Supervisors Migden, Leal, Ammiano, Shelley, Hallinan, Alioto, Bierman)

File 6-95-43, Resolution No. 391-95

(May 8, 1995 - Introduced in Board for consideration on May 15, 1995.)

Adopted.

In connection with the above item, Supervisor Bierman requested to be added as co-sponsor.

[New State Building at 455 Golden Gate Avenue]  
Resolution requesting that the Joint Powers Authority delay approval of the proposed new State Office Building at 455 Golden Gate Avenue until after May 18, 1995 when the Board of Supervisors Housing and Land Use Committee will review wind, shadow, design and other issues discussed in the Environmental Impact Report (EIR). (Supervisor Bierman, Hsieh)

File 12-95-31, Resolution No. 414-95

(May 8, 1995 - Introduced in Board for consideration on May 15, 1995.)

Adopted.

In connection with the above item, Supervisor Hsieh requested to be added as co-sponsor.

[Grant, American Red Cross]

Resolution authorizing the Fire Department to accept and expend \$9,675 from the American Red Cross Northern California Disaster Preparedness Network to fund two Train-The-Trainer classes in the Neighborhood Emergency Response Team Training Program for other northern California communities. (Supervisor Alioto)

File 140-95-1, Resolution No. 403-95

(May 8, 1995 - Introduced in Board for consideration on May 15, 1995.)

Adopted.

[Commemorative Work of Art]

Resolution requesting that the Mayor ask the Art Commission to conduct a competition for the creation and authorize the placement of a commemorative work of art at Harvey Milk Plaza in honor of the historic contributions of the late Supervisor Harvey Milk on the occasion of our observance of his 65th Birthday on May 22, 1995. (Supervisors Ammiano, Alioto, Migden, Bierman)

File 197-95-6, Resolution No. 410-95

(May 8, 1995 - Introduced in Board for consideration on May 15, 1995.)

Adopted.

In connection with the above item, Supervisors Migden, Bierman, requested to be added as co-sponsors.

[Liquor License for 2499 Folsom Street]

Resolution opposing the request for an off-sale liquor license proposed for 2499 Folsom Street in the Mission District. (Supervisors Leal, Kaufman)

File 223-95-2, Resolution No. 412-95

(May 8, 1995 - Introduced in Board for consideration on May 15, 1995.)

Adopted.

The foregoing items on the For Adoption Without Committee Reference Calendar were adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Migden, Shelley, Teng - 10.

Absent: Supervisor Leal - 1.

#### IMMEDIATE ADOPTION CALENDAR

These measures are being introduced at this meeting. A unanimous vote is required for adoption today. Any Supervisor may require any of these measures to go to committee.

[Leaves of Absence]

Resolution granting leaves of absence to various city and county officers with permission to leave the state. (Clerk of the Board)

File 1-95-19, Resolution No. 373-95

Adopted.

[Data Entry Services]

Resolution urging the Mayor to urge the Treasurer to allow the Department of Parking and Traffic to continue to use the Bank of America lockbox contract for data entry services while studying the feasibility of hand-held ticket computers. (Supervisor Shelley)

File 190-95-4, Resolution No. 387-95

Adopted.

The foregoing items on the Immediate Adoption Calendar were adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Migden, Shelley, Teng - 10.

Absent: Supervisor Leal - 1.

#### IMPERATIVE CALENDAR

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt motion (a) or motion (b) and then adopt motion (c). Each motion requires 8 votes or a unanimous 6 or 7. A unanimous vote is required for the resolution(s).

Adopted

[Purely Commendatory Finding]

Motion that the Boards find by roll call vote that the resolutions being considered at this time are purely commendatory.

Supervisor Migden, seconded by Supervisor Kaufman, moved adoption.

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Migden, Shelley, Teng - 10.

Absent: Supervisor Leal - 1.

[Brown Act Finding]

Motion that the Board finds by roll call vote that for the resolutions being considered at this time there is a need to take immediate action and the need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

Supervisor Migden, seconded by Supervisor Hallinan, moved adoption.

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Migden, Shelley, Teng - 10.

Absent: Supervisor Leal - 1.

[Imperative Resolutions, if any]

Adopted

[International AIDS Candlelight Memorial]

Resolution supporting the Twelfth International AIDS Candlelight Memorial and Mobilization, and commending Mobilization Against AIDS for its outstanding work in coordinating the International Candlelight Memorial and Mobilization.

File 006-95-046, Resolution No. 374-95

Supervisors Alioto, Ammiano, Bierman, Migden, Hsieh, Hallinan, Kaufman, Leal, Kennedy, Shelley presented for immediate adoption.

Resolution adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Migden, Shelley, Teng - 10.

Absent: Supervisor Leal - 1.

[Federal Credit Union 40th Anniversary]

Resolution congratulating San Francisco Federal Credit Union on their 40 years of service.

File 006-95-048, Resolution No. 375-95

Supervisor Hsieh presented for immediate adoption.

Resolution adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Migden, Shelley, Teng - 10.

Absent: Supervisor Leal - 1.

[Commendation - Congregation Sha'ar Zahav]

Resolution congratulating Congregation Sha'ar Zahav on the occasion of its 18th Anniversary and declaring Friday, May 19, 1995, and Saturday, May 20, 1995, as "Sha'ar Zahav Days in San Francisco".

File 006-95-049, Resolution No. 376-95

Supervisors Migden, Kaufman, Ammiano, Bierman, Alioto, Shelley, Hallinan presented for immediate adoption.

Resolution adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Migden, Shelley, Teng - 10.

Absent: Supervisor Leal - 1.

#### OFF-CALENDAR LEGISLATION

#### ROLL CALL FOR INTRODUCTION OF MEASURES AND COMMUNICATIONS NOT CONSIDERED OR REPORTED ON BY COMMITTEE

Referred to Committee

[MOU, Fiscal Provisions, Stationary Engineers]

Ordinance implementing the fiscal provisions of the Memorandum of Understanding between the International Union of Operating Engineers, Stationary Engineers, Local 39 and the City and County of San Francisco awarded by the Arbitration Panel. Supervisor Shelley presented. Referred to Government Efficiency and Labor Committee with request that it be considered at the May 23, 1995 meeting.

File 093-95-028.

[Government Funding]

Ordinance appropriating \$2,993,539, various Port funds to capital improvement projects at the Port of San Francisco for fiscal year 1994-95. Supervisor Hsieh presented. Referred to Budget Committee with request that it be considered at the May 24, 1995 meeting.

File 101-94-107.

[Government Funding]

Ordinance appropriating \$9,340,000, Clean Water operating fund to a capital improvement project (Sewer System Improvements) at the Department of Public Works for fiscal year 1994-95. Supervisor Hsieh presented. Referred to Budget Committee with request that it be considered at the May 24, 1995 meeting.

File 101-94-108.

[Government Funding]

Ordinance appropriating \$300,000, general fund reserve to allow the Civil Service Commission to conduct a classification study for fiscal year 1994-95; placing \$300,000 on reserve. Supervisor Hsieh presented. Referred to Budget Committee with request that it be considered at the May 24, 1995 meeting.

File 101-94-109.

Referred to Board

[Proclaiming Melanie Stapper Day]

Resolution declaring May 23, 1995 to be Melanie Stapper Day in honor of her first anniversary as a San Francisco Firefighter and in recognition of her brave fight to overcome the severe injuries she suffered in the line of duty. Supervisors Ammiano, Alioto, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Migden, Shelley, Teng presented. Referred to Board for Adoption Without Committee Reference Calendar May 22, 1995.



File 004-95-012.

[Lend A Hand 1995 - American Red Cross]

Resolution commending the American Red Cross and San Francisco's Holiday Inn Hotels for their philanthropic partnership to raise much needed funds to assist the American Red Cross in its contributions to the health and well being of the City and County of San Francisco. Supervisor Alioto presented. Referred to Board for Adoption Without Committee Reference Calendar May 22, 1995.

File 006-95-045.

[Commending San Francisco Tomorrow]

Resolution acknowledging San Francisco Tomorrow for twenty-five years of continuous public service improving the quality of life of San Francisco, and declaring May 25, 1995 as San Francisco Tomorrow Day. Supervisors Bierman, Alioto, Ammiano, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng presented. Referred to Board for Adoption Without Committee Reference Calendar May 22, 1995.

File 006-95-045.

[Supporting SB 162, Consolidation of Courts]

Resolution urging the State Legislature to approve SB 162 relating to consolidation of courts and urging the Governor to sign it into law, and that the City's advocate before the State Legislature shall take all actions necessary to carry out the intent of this resolution. Supervisor Hsieh presented. Referred to Board for Adoption Without Committee Reference Calendar May 22, 1995.

File 012-95-032.

[Supporting Moratorium, Off-Shore Oil Leases]

Resolution supporting the continuation of the Outer Continental Shelf Moratorium on granting new Off-Shore Oil Leases, and urging the United States Congress to continue its support of the moratorium. Supervisors Alioto, Bierman presented. Referred to Board for Adoption Without Committee Reference Calendar May 22, 1995.

File 013-95-015.

[Mental Health Services]

Resolution supporting the recommendations of the San Francisco Mental Health Board to improve the delivery of mental health services in the City and County of San Francisco, and urging the Mayor to support the recommendations and to add the necessary funding for mental health services in his fiscal year 1995-96 budget to implement the recommendations. Supervisors Alioto, Bierman presented. Referred to Board for Adoption Without Committee Reference Calendar May 22, 1995.

File 030-95-009.

Referred to Committee

[Opposing Closure of Tom Smith Center]

Resolution opposing the June 30, 1995 closure of the Tom Smith Center without first providing interim services that meet the needs of the diverse client population served by the Tom Smith Center, and urging his Honor, the Mayor to urge the Health Commission and the Director of Public Health to transition the clients of the Tom Smith Center into comparable services as quickly as possible. Supervisor Alioto presented. Referred to Health/Public Safety/Environment Committee.

File 030-95-010.

[MOU, Administration Provisions, Stationary Engineers]

Resolution ratifying administrative provisions of Memorandum of Understanding between the International Union of Operating Engineers, Stationary Engineers, Local 39 and the City and County of San Francisco awarded by the panel of arbitrators. Supervisor Shelley presented. Referred to Government Efficiency/Labor Committee with request that it be considered at the May 23, 1995 meeting.

File 093-95-028.01.

[Mandatory Direct Rent Payment Program]

Resolution resolving that the Board of Supervisors of the City and County of San Francisco desires not to implement the mandatory direct rent payment program at this time and will not approve the mandatory direct rent payment program contract until the Board of Supervisors is satisfied that an adequate number of decent rooms is available for use by clients under this program, and until other serious and pertinent issues concerning this program are resolved. Supervisor Hallinan presented. Referred to Government Efficiency/Labor Committee with request that it be considered at the May 23, 1995 Meeting.

File 107-95-001.01.

[State Grant, Environment Education for Schools]  
Resolution authorizing the Chief Administrative Officer (CAO) to apply for up to \$15,000 in environmental education for schools grant funding, from the California State Department of Education; waiving indirect costs. Supervisor Hallinan presented. Referred to Government Efficiency/Labor Committee with request that it be considered at the May 23, 1995 Meeting.

File 133-95-005.

[Labor Issue]  
Resolution urging the management of the Economic Opportunity Council reach a fair collective bargaining agreement with its day care kitchen and warehouse workers. Supervisor Ammiano presented. Referred to Government Efficiency/Labor Committee.

File 176-95-010.

#### Requests for Hearings:

[Toxic Cleanup]  
Hearing to consider toxic cleanup at 820 Bryant Street. Supervisor Alioto presented. Referred to Health/Public Safety/Environment Committee

File 128-95-001.

[Senior Violence]  
Hearing to consider violence and abuse against senior citizens in San Francisco. Supervisor Shelley presented. Referred to Health/Public Safety/Environment Committee

File 217-95-001.

#### Motions:

Referred to Board

[Needle Exchange Emergency]  
Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program. Supervisors Alioto, Leal, Bierman, Shelley, Migden presented. Referred to Board for Adoption Without Committee Reference Calendar May 22, 1995.

File 030-95-001.10.

[California Winter Storms of 1995]  
Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the California Winter Storms of 1995. Supervisors Shelley, Teng presented. Referred to Board for Adoption Without Committee Reference Calendar May 22, 1995.

File 270-95-003.04.

#### Introduced by the President at the Request of Departments

##### Ordinances Referred to Committee

File 045-95-016. [Settlement of Litigation, M. Rubalcaba] Ordinance authorizing settlement of litigation of Maria Rubalcaba against the City and County of San Francisco by payment of \$14,610. (Superior Court No. 953-843) (City Attorney) Referred to Government Efficiency/Labor Committee.

File 045-95-017. [Settlement of Litigation, Arnold Diem] Ordinance authorizing settlement of litigation of Arnold Diem against the City and County of San Francisco by payment of \$67,000 plus \$7,517 for workers compensation, attorney's fees; arrangement to facilitate retirement pension. (U.S. District Court No. C94-0051) (City Attorney) Referred to Government Efficiency/Labor Committee.

File 093-95-020.03. [Amendment to Fiscal Provisions, Local 216] Ordinance amending Ordinance No. 130-95 implementing the fiscal provisions of the Memorandum of Understanding between the Building Material and Construction Teamsters, Local 216 and the City and County of San Francisco for the period July 1, 1995 through and including June 30, 1998. (Department of Human Resources) Referred to Government Efficiency/Labor Committee.

File 097-95-030. [Criminal Justice Administration Fee] Ordinance amending Administrative Code by adding Section 8.38 thereto, establishing and allowing the City and County of San Francisco to collect a Criminal Justice Administrative Fee from persons arrested. (Adult Probation Department) Referred to Budget Committee.

File 101-94-099. [Appropriation, Adult Probation Department] Ordinance appropriating \$270,000, Adult Probation Department, from General Fund Reserve to salaries, to maintain staffing for fiscal year 1994-95. RO #94233 (Controller) Referred to Budget Committee.

File 101-94-100. [Appropriation, Hetch Hetchy] Ordinance appropriating \$815,000, Hetch Hetchy Water and Power, Hetch Hetchy Operating Funds to a capital improvement project, to repair the Early Intake Access Road for fiscal year 1994-95. RO #94231 (Controller) Referred to Budget Committee.

File 101-94-101. [Appropriation, Dept. of Parking and Traffic] Ordinance appropriating \$2,448,891, Department of Parking and Traffic, of parking meter revenue bond proceeds and rescinding \$300,000 from the Vallejo Street garage capital project to reimburse the Parking Revenue Fund for advances of \$596,554 and appropriating \$2,152,337 to the San Francisco General Hospital Garage capital project for fiscal year 1994-95. RO #94232 (Controller) Referred to Budget Committee.

File 101-94-103. [Appropriation, Dept. of Public Health] Ordinance appropriating \$775,049, Department of Public Health, from the General Fund for costs associated with the 1994-95 MOU for Staff Nurses and increased costs of nurses dental coverage in fiscal year 1994-95; providing for ratification of action previously taken. RO #94245 (Controller) Referred to Budget Committee.

File 101-94-104. [Appropriation, Dept. of Public Health] Ordinance appropriating \$991,116, Department of Public Health-Mental Health, of 1987 Mental Health Facility Bond Interest Earnings to Mental Health Rehabilitation Skilled Nursing Facility capital improvement project for fiscal year 1994-95. RO #94237 (Controller) Referred to Budget Committee.

File 101-94-105. [Appropriation, Sheriff's Department] Ordinance appropriating and rescinding \$180,000, Sheriff's Department, to overtime for fiscal year 1994-95; subject of previous budgetary denial. RO #94244 (Controller) Referred to Budget Committee.

File 101-94-106. [Appropriation, Medical Examiner] Ordinance appropriating \$97,000, Medical Examiner, from the General Fund Reserve to purchase equipment for fiscal year 1994-95. RO #94234 (Controller) Referred to Budget Committee.

File 155-95-005. [Reward Payment Authorization] Ordinance authorizing payment of reward to Robert K. Winn and Robert K. Forest. (Police Department) Referred to Budget Committee.

File 172-95-020. [Steam Loop Operating Agreement] Ordinance approving the Controller's certification that the operation and maintenance of the Steam Loop, together with the purchase of steam, can be performed practically by a private contractor at a lower cost than if the same were performed by City and County employees; providing for the approval and execution and delivery by officers of the City and County of San Francisco of a Steam Loop Operating Agreement, wherein the City shall hire San Francisco Thermal, Limited Partnership, to maintain and operate the City's steam distribution facility and to provide steam to certain City-owned buildings in the Civic Center area; providing for the City's indemnification of San Francisco Thermal Limited Partnership, for defaults or negligence by the City; providing for the execution of documents related to the Steam Loop Operating Agreement; and ratifying previous actions taken in connection with the Steam Loop Operating Agreement. (Department of Public Works) Referred to Government Efficiency/Labor Committee.

#### Resolutions Referred to Committee

File 025-95-012. [Prop J Contract, Janitorial Services, 1660 Mission] Resolution concurring with the Controller's certification that Janitorial Services for 1660 Mission Street can be practically performed by private contractor for lower cost than similar work services performed by City and County employees. (Real Estate Department) Referred to Government Efficiency/Labor Committee.

File 025-95-013. [Prop J Contract, Security Services, 1660 Mission] Resolution concurring with the Controller's certification that Security Services for 1660 Mission Street can be practically performed by private contractor for lower cost than similar work services performed by City and County employees. (Real Estate Department) Referred to Government Efficiency/Labor Committee.

File 048-95-011. [Settlement of Claim, UCSF] Resolution approving the settlement of unlitigated claim of University of California, San Francisco by payment of \$32,251.79. (City Attorney) Referred to Government Efficiency/Labor Committee.

File 079-95-004. [Housing/Detoxification Centers for Homeless] Resolution authorizing the Mayor of the City and County of San Francisco to accept and expend a grant from the U.S. Department of Housing and Urban Development for a total amount not to exceed four million dollars (\$4,000,000) for the acquisition, rehabilitation and construction of supportive housing and detoxification facilities for homeless individuals. Indirect costs associated with the acceptance of this grant will be paid by Community Development Block Grant funds. (Also see File 68-92-5) (Mayor's Office of Housing) Referred to Government Efficiency/Labor Committee.

File 093-95-020.02. [Amendment to MDU, Local 216] Resolution ratifying amendment to Memorandum of Understanding between the Building Material and Construction Teamsters, Local 216 and the City and County of San Francisco to correct clerical error. (Department of Human Resources) Referred to Government Efficiency/Labor Committee.

File 106-95-006. [Pay Equity Report, Fiscal Year 1995-96] Resolution ratifying the fiscal year 1995-1996 pay equity study as certified by the Human Resources Director. (Department of Human Resources) Referred to Government Efficiency/Labor Committee.

File 168-95-001. [Park and Open Space Fund, 1995-96] Resolution concurring with the general recommendations on the Park and Open Space Fund for fiscal year 1995-1996, reserving approval or disapproval on specific acquisitions. (Recreation and Park Department) Referred to Budget Committee.

File 172-95-019. [Agreement, Police Dept/U.S. Dept of Defense] Resolution authorizing the Chief of Police to execute a hold harmless agreement with the United States Department of Defense for the loan of radios and communications-related equipment prior to and during the UN 50 celebration. (Police Department) Referred to Government Efficiency/Labor Committee.

#### Requests Granted

There being no objection, the Board directed the Clerk to comply with the following requests:

By Supervisor Ammiano, that City Attorney prepare legislation creating a Single Payer Health Care for the City and County modeled after California Proposition 186.

#### Motions Adopted

Motion that the Board adjourn its meeting this date out of respect to the memory of the following deceased:

Rose Maffei (Supervisor Alioto)  
Helen Rubenstein (Supervisor Migden)  
Willie Mae Pascal Champion (Supervisor Kennedy)

File 2-95-19

Unanimously adopted by a rising vote.

#### ADJOURNMENT

There being no further business, the Board at the hour of 4:05 p.m. adjourned.

Jean Lum, Acting Clerk

N.B. This Journal of Proceedings sets forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on July 10, 1995.

I, John L. Taylor, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Journal of Proceedings of said Board on the date stated and was approved as recited.

John L. Taylor  
Clerk of the Board of Supervisors

Monday, May 22, 1995

# **Journal of Proceedings**

*The Minutes of the*

## **Board of Supervisors**

City and County of San Francisco

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JOURNAL OF PROCEEDINGS

BOARD OF SUPERVISORS

\_\_\_\_\_  
Monday, May 22, 1995 - 2:00 p.m.  
\_\_\_\_\_

The Board of Supervisors of the City and County of San Francisco met in regular session on the above date with President Kevin Shelley presiding.

CALLING THE ROLL

The meeting was called to order at 2:07 p.m. On call of the roll, the following Supervisors were noted present:

Supervisors Alioto, Ammiano, Bierman, Hallinan, Kaufman, Migden, Shelley, Teng - 8.

Noted absent at first roll call:

Supervisors Hsieh, Kennedy, Leal - 3.

Quorum present.

Supervisor Hsieh was noted present at 2:30 p.m.

Supervisor Kennedy excused, (see infra.)

Supervisor Leal excused, on official leave of absence.

Supervisor Kennedy Excused

The Acting Clerk stated Supervisor Kennedy requested to be excused from attending today's meeting.

Supervisor Hallinan, seconded by Supervisor Kaufman, moved to excuse Supervisor Kennedy.

Motion adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Leal, Migden, Shelley, Teng - 8.

Absent: Supervisors Hsieh, Kennedy, Leal - 3.

APPROVAL OF JOURNALS

There being no errors, corrections or omissions, Supervisor Teng, seconded by Supervisor Hallinan, moved that the Journal of Proceedings for Monday, April 17, 1995, be approved.

Motion carried by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Kaufman, Migden, Shelley, Teng - 8.

Absent: Supervisors Hsieh, Kennedy, Leal - 3.

Statement of Conflict of Interest

At the direction of the City Attorney, Supervisor Teng read into the record the following statement:

"I served as the Executive Director of Career Resources Development Center until April 30, 1995. CRDC receives federal Community Development Grant Funding through the Mayor's Office of Community Development Block Grant budget on an annual basis, including any allocations to CRDC.

Housing and Urban Development regulations provide that my membership on the Board of Supervisors within twelve months of my tenure with CRDC could be a prohibited conflict of interest. However, HUD regulations also allow HUD to grant an exception. HUD requires that I make this public disclosure of my prior affiliation with CRDC. I will also be abstaining from any Board of Supervisors decisions concerning CRDC through April 30, 1996.

CONSENT CALENDAR

Recommendations of Budget Committee

Finally Passed

[Government Funding - Department of Public Works]

Ordinance appropriating \$3,978,141 from the Clean Water Operating Fund (Rate Stabilization Fund) to allow the Department of Public Works to meet debt service requirements for fiscal year 1994-95. (Controller)

File 101-94-96, Ordinance No. 171-95

(Fiscal Impact.)

Finally passed.

[Government Funding - Assessment Appeals Board]

Ordinance appropriating \$17,900 of Other Government Service Charges to allow the Board of Supervisors to pay fees and other compensation to Hearing Officers and Assessment Appeals Board members for fiscal year 1994-95. (Controller)

File 101-94-97, Ordinance No. 172-95

(Fiscal Impact.)

Finally passed.

[Environmental Review Fees]

Ordinance amending the Administrative Code, to institute new fees, increase fees, modify fees and extend the period certain fees are charged for environmental review procedures. (Department of City Planning)

File 97-95-27, Ordinance No. 177-95

(Amends Section 31.36A.)

Finally passed.

Recommendations of Government Efficiency and Labor Committee

Finally Passed

[Settlement of Litigation, A. Woodruff, Jr.]

Ordinance authorizing settlement of litigation of Alexander Woodruff, Jr. against the City and County by payment of \$405,224. (City Attorney)

File 45-95-15, Ordinance No. 174-95

(Superior Court No. 932-772.)

Finally passed.

[Lease Modification, Port/Redevelopment Agency]

Ordinance approving Second Amendment to Option to Lease Real Property and First Amendment to leases between the Port and the Redevelopment Agency for properties in the South Beach Redevelopment Area. (Port)

File 65-95-3, Ordinance No. 175-95

Finally passed.

[Disposition of Indigent Dead]

Ordinance amending Health Code and Administrative Code to authorize the Medical Examiner to dispose of the indigent dead by burial or cremation. (Chief Medical Examiner-Coroner)

File 97-95-23, Ordinance No. 176-95



(Repeals Health Code Section 210;  
Amends Administrative Code Section 6.62.)

Finally passed.

[1994-95 Nurses Salary Survey]

Ordinance adjusting and fixing schedules of compensation effective July 1, 1995, to be paid under the provisions of Charter Section 8.403 to employees occupying classifications: 2320 Registered Nurse, 2323 Clinical Nurse Specialist, 2330 Anesthetist, 2340 Operating Room Nurse, 2830 Public Health Nurse, 2328 Nurse Practitioner, P103 Special Nurse, continuing by reference the incorporation of a Memorandum of Understanding between the City and County of San Francisco and SEIU Local 790 (Staff Nurses) which established conditions and benefits of employment other than wages for said classifications. (Civil Service Commission)

File 103-95-2, Ordinance No. 178-95

Finally passed.

[Compensation, Municipal Court, FY 1994-95]

Ordinance setting schedules of compensation and other economic benefits for certain classifications of persons employed by the Municipal Court for the City and County. (Municipal Court)

File 106-95-5, Ordinance No. 179-95

Finally passed.

#### Recommendation of Health, Public Safety and Environment Committee

Finally Passed

[Enforcement of Smoking Prohibitions]

Ordinance amending Health Code, to provide for enforcement by San Francisco Public Health and Police Departments of California Labor Code Section 6404.5 regarding smoking in enclosed places of employment. (Supervisor Alioto)

File 118-95-1, Ordinance No. 181-95

(Adds Article 19G, consisting of Section 1009.40.)

Finally passed.

#### Recommendation of Housing and Land Use Committee

Finally Passed

[Zoning Map Amendment, Jamestown Avenue/Harney Way]

Ordinance adopting changes in property use classification as an amendment to the Zoning Map of property located at the intersection of Jamestown Avenue and Harney Way, Lot 8, Assessor's Block 4977 and Lot 8, Assessor's Block 5023, from an RH-1 District to C-2 District and adopting findings pursuant to Planning Code Section 101.1. (Department of City Planning)

File 36-95-2.1, Ordinance No. 173-95

(Approved by City Planning Resolution No. 13822.)

Finally passed.

The foregoing items on the Consent Calendar were acted upon by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Kaufman, Migden, Shelley, Teng - 8.

Absent: Supervisors Hsieh, Kennedy, Leal - 3.

#### Appointment of President Pro Tempore

At the request of the President, Supervisor Hallinan assumed the Chair so the President could participate in the debate from the floor.

REGULAR CALENDAR

UNFINISHED BUSINESS

Recommendations of Budget Committee

Passed for Second Reading as Amended

[In-Home Supportive Services Public Authority]

Ordinance amending the Administrative Code, to establish a Public Authority pursuant to California Welfare and Institutions Code Section 12301.6 to provide for the delivery of in-home supportive services. (Supervisors Shelley, Bierman, Ammiano, Alioto, Teng, Kennedy, Migden, Hallinan, Hsieh, Leal, Kaufman)

File 97-95-20, Ordinance No.

(Adds Chapter 70, consisting of Sections 70.1 through 70.10.)

(May 8, 1995 - Consideration continued to May 22, 1995.)

Supervisor Shelley, seconded by Supervisor Migden, moved an amendment of the whole bearing same title as above.

Amendment of the whole adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Kaufman, Migden, Shelley, Teng - 8.

Absent: Supervisors Hsieh, Kennedy, Leal - 3.

Passed for second reading as amended by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Kaufman, Migden, Shelley, Teng - 8.

Absent: Supervisors Hsieh, Kennedy, Leal - 3.

The President reassumed the Chair.

Finally Passed

[Planning Fees and Initiation of Amendments]

Ordinance amending Article 2, Article 3 and Article 3.54 of the City Planning Code, to authorize citizens to request amendments to the City Planning Code, to impose new fees, change the amount of fees currently charged relating to Department of City Planning actions, activities and services. (Department of City Planning)

File 115-95-2, Ordinance No. 180-95

(Amends Sections 228.4, 302, 350 through 353, 355, 357 and 358.)

Finally passed by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Kaufman, Migden, Shelley, Teng - 8.

Absent: Supervisors Hsieh, Kennedy, Leal - 3.

Recommendations of Government Efficiency and Labor Committee

Passed for Second Reading as Amended

[Compensation, Superior Court, FY 1994-95]

Ordinance setting schedules of compensation and other economic benefits for certain classifications of persons employed by the Superior Court for the City and County. (Municipal Court)

File 106-95-3, Ordinance No.

Supervisor Hallinan, seconded by Supervisor Migden, moved an amendment of the whole bearing same title as above.

Amendment of the whole adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Migden, Shelley, Teng - 9.

Absent: Supervisors Kennedy, Leal - 2.

Passed for second reading as amended by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Migden, Shelley, Teng - 9.

Absent: Supervisors Kennedy, Leal - 2.

#### NEW BUSINESS

##### Recommendations of Budget Committee

Passed for Second Reading

[Appropriation - Municipal Railway]  
Ordinance appropriating \$8,859,766 to the Municipal Railway to offset shortfalls in passenger fare revenues, claims and judgments, materials and supplies, workers compensation and services to City Attorney, funded from General Reserve (\$5,259,766), Transit Impact Development Fund (\$2,100,000) and San Francisco County Transportation Authority (\$1,500,000) for fiscal year 1994-95; subject of previous budgetary denial and providing for ratification of action previously taken. (Public Transportation Commission)

File 101-94-98, Ordinance No.

(Fiscal Impact.)

Passed for second reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Migden, Shelley, Teng - 8.

Absent: Supervisors Alioto, Kennedy, Leal - 3.

[Appropriation - Department of Public Health-Mental Health] Ordinance appropriating \$1,138,290 of Medi-Cal revenue to medical services contracts to allow the Department of Public Health-Mental Health to expand drug Medi-Cal Eligible Substance Abuse Programs for fiscal year 1994-95; providing for ratification of action previously taken. (Supervisors Hsieh, Alioto)

File 101-94-102, Ordinance No.

(Fiscal Impact.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Migden, Shelley, Teng - 9.

Absent: Supervisors Kennedy, Leal - 2.

##### Recommendation of Health, Public Safety and Environment Committee

Adopted

[Mental Health and Substance Abuse Treatment and Prevention]  
Resolution urging the Board of Supervisors to review and assess the feasibility of the appointment of a Director of Mental Health and Substance Abuse Treatment and Prevention. (Supervisors Alioto, Kennedy)

File 30-94-21.1, Resolution No. 426-95

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Kaufman, Migden, Shelley, Teng - 8.

Absent: Supervisors Hsieh, Kennedy, Leal - 3.

##### Recommendations of Rules Committee

Adopted

[Appointments]  
Resolution confirming Mayor's reappointment of members to the San Francisco Stadium, Inc. Board of Directors, for terms to expire March 1, 1996. (Rules Committee)

File 33-95-7, Resolution No. 427-95

(Louise Bea, Seat No. 40501, vice herself;  
George Broder, Seat No. 40502, vice himself;  
Susan Loder, Seat No. 40503, vice herself.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Kaufman, Migden, Shelley, Teng - 8.

Absent: Supervisors Hsieh, Kennedy, Leal - 3.

[Meeting Schedule]

Resolution revising the regular meeting schedule of the Board of Supervisors by cancelling the meeting of July 3, 1995. (Acting Clerk of the Board)

File 54-95-7, Resolution No. 428-95

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Kaufman, Migden, Shelley, Teng - 8.

Absent: Supervisors Hsieh, Kennedy, Leal - 3.

[Appointment]

Resolution appointing member to the Delinquency Prevention Commission for new four-year term ending December 31, 1998. (Rules Committee)

File 92-95-6, Resolution No. 432-95

(David Inocencio, Seat No. 21805, vice Carmen Trasvino, term expired.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Kaufman, Migden, Shelley, Teng - 8.

Absent: Supervisors Hsieh, Kennedy, Leal - 3.

[Appointment]

Resolution appointing member to the Commission on San Francisco's Environment, for new three-year term ending May 12, 1998. (Rules Committee)

File 92-95-18, Resolution No. 429-95

(Isabel Wade, Seat No. 26515, public at large, vice Steven M. Appleton, term expired.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Kaufman, Migden, Shelley, Teng - 8.

Absent: Supervisors Hsieh, Kennedy, Leal - 3.

[Audit]

Motion directing the Budget Analyst to perform management audit of the Airport surplus as a top priority. (Supervisor Shelley)

File 165-95-2.1

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Kaufman, Migden, Shelley, Teng - 8.

Absent: Supervisors Hsieh, Kennedy, Leal - 3.

Recommendation of Select Committee on Base Closures

Adopted

[Grant Application Endorsement]

Resolution endorsing the Redevelopment Agency's efforts to secure funding from the United States Environmental Protection Agency's Brownfields Economic Redevelopment Initiative for toxic clean up plans at Hunters Point Naval Shipyard. (Supervisor Shelley)

File 161-95-4, Resolution No. 430-95

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Migden, Shelley, Teng - 9.

Absent: Supervisors Kennedy, Leal - 2.

SPECIAL ORDER 3:00 P.M.

Hearing Held

[Public Hearing]

Hearing appealing decision of City Planning Commission by its Motion No. 13855 dated April 6, 1995, approving Conditional Use Application No. 94.619C, for conditional use authorization to permit establishment of a Residential Care Facility (Progress Foundation) for up to 16 residents in an RH-2 (House, Two-Family) District on property located at 2210 Clay Street, north side between Laguna and (Octavia)) Buchanan Streets; Lot 4 in Assessor's Block 614.

File 37-95-4

(Appeal filed May 4, 1995.)

(Categorically Exempt from Environmental Review under State Guidelines Section 15301(a).)

The following persons were sworn in and granted privilege of the floor:

Appellants:

Lauren Ward, Howard Schuman, Oscar Lener, Beatrice Lane, Patricia Ocuchi, Mary-Margaret Ward, Jill Horner on behalf of Larry Pulliam, Charlotte Maeck, Jan Balaffy, Patricia Vaughey, Patrick Ward, Karen, Shane Butler.

Respondents

Robert Passmore, representing City Planning Commission and Department of City Planning; Steve Fields; Jerry Kivirka; Jane Kaham; Steve Leoni.

A rebuttal period was allowed.

The President then declared the hearing closed.

Adopted As Amended

(Only one of the following two motions should be adopted.)

[Zoning Appeal, 2210 Clay Street]

Motion approving decision of the City Planning Commission by its Motion No. 13855, approving Conditional Use Application No. 94.619C, on property located at 2210 Clay Street, north side between Laguna and Octavia Streets, and adopting findings pursuant to City Planning Code Section 101.1.

File 37-95-4.1

Supervisor Alioto, seconded by Supervisor Ammiano, moved to amend Planning Commission Motion No. 13855 to correct all references to "Octavia" Street to read "Buchanan" Street, and amend title and all references to "Octavia" Street to read "Buchanan" Street.

Motion to amend adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Migden, Shelley, Teng - 9.

Absent: Supervisors Kennedy, Leal - 2.

Adopted as amended by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Migden, Shelley, Teng - 9.

Absent: Supervisors Kennedy, Leal - 2.

No Action Taken

[Zoning Appeal, 2210 Clay Street]

Motion disapproving decision of the City Planning Commission by its Motion No. 13855, approving Conditional Use Application No. 94.619C, on property located at 2210 Clay Street, north side between Laguna and Octavia Streets, and adopting findings pursuant to City Planning Code Section 101.1.

File 37-95-4.2

Adopted as Amended

[Findings]

Motion directing the Clerk of the Board to prepare findings relating to proposed Conditional Use Application No. 94.619C on property located at 2210 Clay Street, north side between Laguna and (Octavia) Buchanan Streets, for action by the Board at its next meeting. (Acting Clerk of the Board)

File 37-95-4.3

Supervisor Alioto, seconded by Supervisor Ammiano, moved to amend Planning Commission Motion No. 13855 to correct all references to "Octavia" Street to read "Buchanan" Street, and amend title and all references to "Octavia" Street to read "Buchanan" Street.

Motion to amend adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Migden, Shelley, Teng - 9.

Absent: Supervisors Kennedy, Leal - 2.

Adopted as amended by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Migden, Shelley, Teng - 9.

Absent: Supervisors Kennedy, Leal - 2.

PUBLIC COMMENT

The privilege of the floor was granted to the following persons:

Virginia Conway, magazine racks with girls magazines visible;  
Patricia Vaughney, uncollected transfer taxes;  
Paul Gillespie, taxicab shields.

There being no one else present wishing to speak, the President declared the public comment portion of the meeting closed.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures were introduced at a prior meeting of the Board with action requested at this meeting. Any Supervisor may require these measures to go to committee unless a motion to suspend the rules is adopted by eight votes (or a unanimous vote if only six or seven members are present). An "aye" vote is (a) a vote in favor of suspending the rule requiring reference to committee, and (b) a vote in favor of adoption of the measures. Eight votes (or a unanimous vote if only six or seven members are present) is required.

Severed From For Adoption Without Committee Reference Calendar

Supervisor Ammiano requested that the following measure be severed from the For Adoption Without Committee Reference Calendar and considered separately.

Tabled

[Proclaiming Melanie Stapper Day]

Resolution declaring May 23, 1995 to be Melanie Stapper Day in honor of her first anniversary as a San Francisco Firefighter and in recognition of her brave fight to overcome the severe injuries she suffered in the line of duty. (Supervisors Ammiano, Alioto, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Migden, Shelley, Teng)

File 4-95-12, Resolution No.

(May 15, 1995 - Introduced in Board for consideration on May 22, 1995.)

Supervisor Ammiano, seconded by Supervisor Alioto, moved to table.

Tabled by the following vote:

Ayes: Supervisors Alioto Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Migden, Shelley, Teng - 9.

Absent: Supervisors Kennedy, Leal - 2.

Severed From For Adoption Without Committee Reference Calendar

Supervisor Alioto requested that the following measure be severed from the For Adoption Without Committee Reference Calendar and considered separately.

Adopted as Amended

[Lend A Hand 1995 - American Red Cross]

Resolution commending the American Red Cross and San Francisco's Holiday Inn Hotels for their philanthropic partnership to raise much needed funds to assist the American Red Cross in its contributions to the health and well being of the City and County. (Supervisors Alioto, Shelley)

File 6-95-45, Resolution No. 420-95

(May 15, 1995 - Introduced in Board for consideration on May 22, 1995.)

Supervisor Alioto, seconded by Supervisor Teng, moved an amendment of the whole bearing same title, by amending page one, line 14, after "Audio-Visual" by adding "Ancha Audio Visual" and after "CityPark" by adding "BPS Reprographic Services and AT&T."

Amendment of the whole adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Migden, Shelley, Teng - 9.

Absent: Supervisors Kennedy, Leal - 2.

Adopted as amended by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Migden, Shelley, Teng - 9.

Absent: Supervisors Kennedy, Leal - 2.

In connection with the above item, Supervisor Shelley requested to be added as co-sponsor.

Severed From For Adoption Without Committee Reference Calendar

Supervisor Shelley requested that the following measure be severed from the For Adoption Without Committee Reference Calendar and considered separately.

Adopted

[California Winter Storms of 1995]

Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the California Winter Storms of 1995. (Supervisors Shelley, Teng)

File 270-95-3.4

(May 15, 1995 - Introduced in Board for consideration on May 22, 1995.)

Adopted by the following vote:

Ayes: Supervisors Alioto Ammiano, Hallinan, Hsieh, Kaufman, Migden, Shelley, Teng - 8.

Absent: Supervisors Bierman, Kennedy, Leal - 3.

The Board thereupon resumed its consideration of the following items on the For Adoption Without Committee Reference Calendar.

For Adoption Without Committee Reference Calendar

Adopted

[Commending San Francisco Tomorrow]

Resolution acknowledging San Francisco Tomorrow for twenty-five years of continuous public service improving the quality of life of San Francisco, and declaring May 25, 1995 as San Francisco Tomorrow Day. (Supervisors Bierman, Alioto, Ammiano, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng)

File 6-95-47, Resolution No. 421-95

(May 15, 1995 - Introduced in Board for consideration on May 22, 1995.)

Adopted.

[Supporting SB 162, Consolidation of Courts]

Resolution urging the State Legislature to approve SB 162 relating to consolidation of courts and urging the Governor to sign it into law, and that the City's advocate before the State Legislature shall take all actions necessary to carry out the intent of this Resolution. (Supervisor Hsieh)

File 12-95-32, Resolution No. 424-95

(May 15, 1995 - Introduced in Board for consideration on May 22, 1995.)

Adopted.

[Supporting Moratorium, Off-Shore Oil Leases]

Resolution supporting the continuation of the Outer Continental Shelf Moratorium on granting new Off-Shore Oil Leases, and urging the United States Congress to continue its support of the Moratorium. (Supervisors Alioto, Bierman, Shelley)

File 13-95-15, Resolution No. 425-95

(May 15, 1995 - Introduced in Board for consideration on May 22, 1995.)

Adopted.

In connection with the above item, Supervisor Shelley requested to be added as co-sponsor.

[Mental Health Services]

Resolution supporting the recommendations of the San Francisco Mental Health Board to improve the delivery of mental health services in the City and County of San Francisco, and urging the Mayor to support the recommendations and to add the necessary funding for mental health services in his fiscal year 1995-96 budget to implement the recommendations. (Supervisors Alioto, Bierman)

File 30-95-9, Resolution No. 431-95

(May 15, 1995 - Introduced in Board for consideration on May 22, 1995.)

Adopted.

[Needle Exchange Emergency]

Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program. (Supervisors Alioto, Leal, Bierman, Shelley, Migden)

File 30-95-1.10

(May 15, 1995 - Introduced in Board for consideration on May 22, 1995.)

Adopted.

[Final Map, 50 Lucerne Street]

Motion approving final map of 50 Lucerne Street, a Condominium Project, being a resubdivision of Lot 94 in Assessor's Block 3784, and adopting findings pursuant to City Planning Code Section 101.1. (Department of Public Works)

File 58-95-12



(May 8, 1995 - Introduced in Board for consideration on May 22, 1995.)

Adopted.

[Final Map, 81 Lansing Street]

Motion approving final map of 81 Lansing Street, a Condominium Project, being a resubdivision of Lot 60 in Assessor's Block 3794, and adopting findings pursuant to City Planning Code Section 101.1. (Department of Public Works)

File 58-95-13

(May 8, 1995 - Introduced in Board for consideration on May 22, 1995.)

Adopted.

[Final Map, 101 Valencia Street]

Motion approving final map of 101 Valencia Street, a Condominium Project, being a resubdivision of Lot 79 in Assessor's Block 3513, and adopting findings pursuant to City Planning Code Section 101.1. (Department of Public Works)

File 58-95-14

(May 8, 1995 - Introduced in Board for consideration on May 22, 1995.)

Adopted.

The foregoing items on the For Adoption Without Committee Reference Calendar were adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Migden, Shelley, Teng - 9.

Absent: Supervisors Kennedy, Leal - 2.

#### IMMEDIATE ADOPTION CALENDAR

These measures are being introduced at this meeting. A unanimous vote is required for adoption today. Any Supervisor may require any of these measures to go to committee.

Adopted

[Leaves of Absence]

Resolution granting leaves of absence to various city and county officers with permission to leave the state. (Clerk of the Board)

File 1-95-20, Resolution No. 390-95

(Frank M. Jordan, Mayor, City and County of San Francisco, May 15 - 23; Tom Ammiano, member, Board of Supervisors, May 25 - 29, 1995.)

Adopted.

The foregoing item on the Immediate Adoption Calendar was adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Migden, Shelley, Teng - 9.

Absent: Supervisors Kennedy, Leal - 2.

#### IMPERATIVE CALENDAR

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the following two motions.

Adopted

[Purely Commendatory Finding]

Motion that the Board finds by roll call vote that the resolutions being considered at this time are purely commendatory.

Supervisor Hallinan, seconded by Supervisor Teng, moved adoption.

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Migden, Shelley, Teng - 9.

Absent: Supervisors Kennedy, Leal - 2.

[Brown Act Finding]

Motion that the Board finds by roll call vote that for the resolutions being considered at this time there is a need to take immediate action and the need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

Supervisor Hallinan, seconded by Supervisor Teng, moved adoption.

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Migden, Shelley, Teng - 9.

Absent: Supervisors Kennedy, Leal - 2.

[Imperative Resolutions, if any]

Adopted

[Commendation]

Resolution commemorating the Centennial of the Department of Public Health Paramedic Division.

File 6-95-50, Resolution No. 392-95

Supervisors Shelley, Alioto, Ammiano, Bierman, Kaufman, Hsieh presented for immediate adoption.

Resolution adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Migden, Shelley, Teng - 9.

Absent: Supervisors Kennedy, Leal - 2.

OFF-CALENDAR LEGISLATION

ROLL CALL FOR INTRODUCTION OF MEASURES AND COMMUNICATIONS  
NOT CONSIDERED OR REPORTED ON BY COMMITTEE

Referred to Committee

[Courthouse]

Ordinance amending Ordinance No. 435-94 to extend the permissible term of a lease agreement between the City and County of San Francisco Courthouse Corporation, as Lessor, and the City and County of San Francisco, as Lessee, relating to courthouse facilities and improvements; and authorizing the Chief Administrative Officer of the City and County of San Francisco to make such changes in documents and to take other actions necessary or advisable to obtain certificate insurance for and otherwise to consummate the execution and delivery of not to exceed \$63,000,000 aggregate principal amount of certificates of participation to finance said project and the application of the proceeds thereof; and ratifying actions previously taken with respect to the certificates of participation. Supervisor Hsieh presented. Referred to Budget Committee.

File 064-95-3.

[Telecommunications Commission]

Ordinance amending the Administrative Code by adding Sections 11.45 and 11.46 to create a Telecommunications Commission and to transfer certain functions regarding Cable Television Franchises from the Chief Administrative Officer to the Telecommunications Commission and to limit the duration of new cable television franchises to ten years. Supervisor Bierman presented. Referred to Rules Committee.

File 97-95-34.

[Occupation License Fee]

Ordinance amending Part III, Municipal Code, by adding Article 12-E ("Occupation License Fee Ordinance") thereto to impose a license fee of two percent (2%) of compensation on employees earning in excess of \$150,000 for work performed or services rendered within San Francisco; setting effective date of January 1, 1996. Supervisor Ammiano presented. Referred to Budget Committee.

File 127-95-3.

[Payroll Expense and Business Tax]

Ordinance amending Part III, Municipal Code, by amending Section 903.1 thereof to decrease payroll expense tax rate for businesses with total payroll expenses not exceeding \$333,333 and to increase payroll expense tax rate for businesses with total payroll expenses exceeding \$6,666,667 and by adding Section 1004.19 thereto to decrease the business tax on gross receipts not exceeding specified amounts and to increase the business tax on gross receipts exceeding specified amounts and by amending Sections 905-A and 1005.3 thereof to lower the qualifying maximum for the exemption to the payroll expense and business taxes, operative January 1, 1996. Supervisor Ammiano presented. Referred to Budget Committee.

File 127-95-4.

[Transient Occupancy Tax]

Ordinance amending Part III, Municipal Code, by amending Section 502.5 thereof to increase the Transient Occupancy Tax surcharge from 2.75 percent to 4.75 percent, and by amending Section 5092.8 thereof to increase the Transient Occupancy Tax in certain Redevelopment Project Areas from 12 percent to 14 percent, operative October 1, 1995. Supervisor Ammiano presented. Referred to Budget Committee.

File 127-95-5.

[Hotel Tax Allocation]

Ordinance amending Article 7, Part III, Municipal Code, by amending Section 515 to base allocations of hotel tax revenues on revenues received in the immediately prior fiscal year rather than on estimated revenues for the allocation year. Supervisor Hsieh presented. Referred to Budget Committee.

File 127-95-6.

[Special Assessment Notice Requirement]

Ordinance amending Part III, Municipal Code, by enacting new Article 18 to prescribe special notice requirements for any legislation levying a Special Benefit Assessment. Supervisor Kaufman presented. Referred to Budget Committee.

File 127-95-7.

[Real Property Transfer Tax]

Ordinance amending Part III, Municipal Code, by amending Section 1102 (Real Property Transfer Tax Ordinance) to increase the tax rate to \$7.50 from \$3.75 for each \$500 of consideration or value of the property conveyed for transfers in which the consideration or value of the property conveyed exceeds \$1,000,000, and amending Section 1101 to clarify the City and County's authority to increase the tax rate under existing law. Supervisor Ammiano presented. Referred to Budget Committee.

File 127-95-8.

Referred to Board

[Commending Marilyn Hope Smulyan]

Resolution commending Marilyn Hope Smulyan for her many years of tireless, effective guidance of and participation in the San Francisco Bicycle Advisory Committee. Supervisors Bierman, Migden, Shelley presented. Referred to Board for Adoption Without Committee Reference Calendar May 30, 1995.

File 6-95-51.

[Court Appointed Special Advocates]

Resolution acknowledging the award of a grant by the California Judicial Council to the San Francisco Court Appointed Special Advocates. Supervisor Shelley presented. Referred to Board for Adoption Without Committee Reference Calendar May 30, 1995.

File 6-95-52.

Referred to Committee

["Heart-of-the-City" Farmers Market]

Resolution opposing the possible permanent removal of the "Heart-of-the-City" Farmers Market from its present location at the United Nations Plaza, and urging the Mayor to urge the Chief Administrative Officer to withdraw any plans which would permanently move the Farmers Market from the United Nations Plaza. Supervisor Alioto presented. Referred to the Health, Public Safety and Environment Committee.

File 10-95-2.1.

[State Building at 455 Golden Gate Avenue]

Resolution requesting that the Joint Powers Authority select Alternative 2 for the Civic Center Complex, supporting modification of the design of the building, requesting additional mitigation measures and indicating to the Authority the opposition of the Board of Supervisors to any encroachment on or over Golden Gate Avenue. Supervisor Bierman presented. Referred to Housing and Land Use Committee with request it be considered at its June 1, 1995 meeting.

File 12-95-31.1.

[State Issues]

Resolution requesting that the City Lobbyist and the San Francisco delegation in the State Legislature cooperate with the California Bankers Association to modify the State Bank In Lieu Tax Law to mandate subvention of a portion of these tax receipts to local government. Supervisor Ammiano presented. Referred to Budget Committee.

File 12-95-33.

Referred to Board

[Mental Health Services]

Resolution urging the State Legislature and the State of California Department of Mental Health to restore \$2.3 million to the proposed allocation to San Francisco for managing the care of inpatient psychiatric services for Medi-Cal eligible clients, consistent with current year need and utilization. Supervisors Hsieh, Alioto, Ammiano presented. Referred to Board for Adoption Without Committee Reference Calendar May 30, 1995.

File 12-95-34.

[Hold Harmless Agreement]

Resolution Authorizing the Port of San Francisco to hold the U.S. Department of Commerce, Economic Development Administration and the California Trade and Commerce Agency, Office of Strategic Technology harmless for claims arising from improvements to the cranes at the Pier 70 Shipyard. Supervisor Shelley presented. Referred to Board for Adoption Without Committee Reference Calendar May 30, 1995.

File 144-95-1.1.

Referred to Committee

[General Obligation Bonds]

Resolution determining and declaring the public interest and necessity demand the acquisition, construction or reconstruction by the City and County of San Francisco of the following municipal improvement, to wit: acquisition, construction and/or reconstruction of certain improvements to City Hall, including life safety improvements, disabled access improvement, electrical power and system improvements, building system and communication improvements, historic preservation improvements, functional space conversion improvements, childcare improvements and waterproofing improvements, and regulated acquisition, construction and reconstruction necessary for the foregoing purposes, that the estimated cost of \$78,130,000 for said municipal improvements is and will be too great to be paid out of the ordinary annual income and revenue of said City and County will require the incurring of a bonded indebtedness. Supervisor Hsieh presented. Referred to Budget Committee.

File 170-95-6.

[General Obligation Bonds]

Resolution determining and declaring the public interest and necessity demand the acquisition, construction or reconstruction by the City and County of San Francisco of the following Municipal Improvement, to wit: acquisition, construction and/or reconstruction of certain improvements to underground storage tanks owned by the City and County, which improvements shall include repair, removal and/or replacement of the underground storage tanks, and testing remediation of past and present storage tank sites, and regulated acquisition, construction and reconstruction for the foregoing purposes, that the estimated cost of \$51,000,000 for said municipal improvements is and will be too great to be paid out of the ordinary annual income and revenue of said City and County and will require the incurring of a bonded indebtedness. Supervisor Hsieh presented. Referred to Budget Committee.

File 170-95-7.

[General Obligation Bonds]

Resolution determining and declaring the public interest and necessity demand the acquisition, construction or reconstruction by the City and County of San Francisco of the following municipal improvement, to wit: acquisition, construction and/or reconstruction of certain improvements to the

Steinhart Aquarium and related facilities and structures, including seismic upgrade, asbestos and lead abatement, disabled access improvements, life support system improvements, building system improvements and structural improvements, and related acquisition, construction and reconstruction necessary or convenient for the foregoing purposes, that the estimated cost of \$28,670,829 for said municipal improvements is and will be too great to be paid out of the ordinary annual income and revenue of said City and County and will require the incurring of a bonded indebtedness. Supervisor Shelley presented. Referred to Budget Committee.

File 170-95-8.

[San Francisco Affinity Card]

Resolution urging the Chief Administrative Officer to examine proposals for the creation of an Affinity Card for the City of San Francisco and seeking input from appropriate department in its formulation. Supervisor Migden presented. Referred to Budget Committee.

File 186-95-5.

[Hennessy's Liquor License Transfer]

Resolution determining that transfer of License No. 20279801, a Beer and Wine Type 20 Liquor License, from 4575 Mission Street to 199 Brannan Street, will serve the convenience and necessity of the people of the City and County of San Francisco, in accordance with Section 23958.4 of the California Business and Professions Code. Supervisor Hallinan presented. Referred to Government Efficiency and Labor Committee with request it be considered at its May 23, 1995 meeting.

File 223-95-4.

[Telecommunications]

Resolution authorizing and urging the Board of Supervisors, the Department of Public Works, the Department of Electricity and Telecommunications and the City Attorney to take advantage of opportunities to share information with other local governments regarding telecommunications and to enter into cost-sharing agreements with other local governments. Supervisor Bierman presented. Referred to Rules Committee.

File 227-95-3.

#### Charter Amendments

[Charter Amendment-Youth Commission]

Charter amendment (First Draft) to establish a Youth Commission to advise the Board of Supervisors on issues relating to youth. Supervisor Alioto presented. Referred to Rules Committee.

File 235-95-1.

[Charter Amendment-Police Commission]

Charter amendment (Skeletal) regarding the composition of the Police Commission. Supervisor Ammiano presented. Referred to Rules Committee.

File 238-95-1.

[Charter Amendment-President of the Board]

Charter amendment (Skeletal) regarding the manner by which the President of the Board of Supervisors is chosen. Supervisor Ammiano presented. Referred to Rules Committee.

File 239-95-1.

[Charter Amendment-Office of Mayor, Vacancy]

Charter amendment (Skeletal) relating to filling a vacancy in the Office of Mayor. Supervisor Ammiano presented. Referred to Rules Committee.

File 240-95-1.

[Charter Amendment-Board of Supervisors, Vacancy]

Charter amendment (Skeletal) relating to filling vacancies in the Office of Member of the Board of Supervisors. Supervisor Ammiano presented. Referred to Rules Committee.

File 241-95-1.

[Charter Amendment-Office of Citizens Complaints]

Charter amendment (Skeletal) restructuring various duties and functions of the Office of Citizens Complaints. Supervisor Ammiano presented. Referred to Rules Committee.

File 243-95-1.

[Charter Amendment-Election of Supervisors]

Charter amendment (Skeletal) providing for a system of electing members of the Board of Supervisors. Supervisor Hallinan presented. Referred to Government Efficiency and Labor Committee.

File 245-95-1.

[Charter Amendment-Department of Environment]

Charter Amendment (Skeletal) providing for a Department of Environment. Supervisor Shelley presented. Referred to Rules Committee.

File 247-95-1.

Requests for Hearings

[Zero Base Budget Analysis]

Hearing to consider the Zero Base Budget Analysis of the Budget Analyst. Supervisor Hsieh presented. Referred to Budget Committee with request it be considered at its May 24, 1995 meeting.

File 100-95-5.

[Lake Merced Water Levels]

Hearing to consider issues concerning the water levels at Lake Merced including the status of the water levels and the Water Department and Recreation and Park Department's efforts to maintain Lake Merced as an essential community resource. Supervisor Shelley presented. Referred to Board Committee of the Whole at its Special June 12, 1995 meeting.

File 188-95-1.

[State ABC Law, Local Implementation]

Hearing to consider the manner in which the City and County of San Francisco is to proceed with the implementation of the newly-enacted Section 23958.4 of the California Business and Professions Code, which requires that local governing bodies determine whether public convenience and necessity are served when alcoholic beverage licenses are issued. Supervisor Hallinan presented. Referred to Government Efficiency and Labor Committee.

File 223-95-9.

[Golden Gate Park Master Plan]

Hearing to consider a portion of the Golden Gate Park Master Plan, specifically (1) the proposed closure of the Sunset Boulevard entrance into Golden Gate Park, and (2) the proposed elimination of auto traffic's ability to turn left from Martin Luther King, Jr. Drive onto Crossover Drive. Supervisors Alioto presented. Referred to Health, Public Safety and Environment Committee with request it be considered at its June 15, 1995 meeting.

File 234-95-1.

[Sunset Community]

Hearing to consider the quality of life in the Sunset community and to address issues including public safety, city services, recreation and educational programs, neighborhood development, traffic flow, public transportation, and other issues of concern to the Sunset neighborhood. Supervisor Shelley presented. Referred to Board Committee of the Whole at its Special June 12, 1995 meeting.

File 248-95-1.

Motions

Referred to Committee

[Telecommunications]

Motion directing the Acting Clerk of the Board of Supervisors to request on behalf of the Board, that the Mayor include an additional \$191,000 in his proposed Budget 1995-96 to be placed in the Telecommunications Fund. Supervisor Bierman presented. Referred to Rules Committee.

File 69-95-2.

[Ballot Measure-Campaign Contribution Ordinance]

Motion ordering submission of an ordinance, establishing voluntary expenditure limits for candidates for San Francisco elective office and making related changes to the San Francisco Municipal Election Campaign Contribution Control Ordinance for the November 7, 1995 election. Supervisor Hallinan presented. Referred to Government Efficiency and Labor Committee.

File 246-95-1.

Introduced by the President at the Request of Departments

Ordinances Referred to Committee

File 027-95-008. [Lease Modification, American Air Lines] Ordinance approving Modification No. 6 of Lease and Use Agreement between American Airlines, Inc. and City and County of San Francisco, acting by and through its Airports Commission. (Airports Commission) Referred to Government Efficiency/Labor Committee.

File 045-95-018. [Settlement of Litigation, Yvonne Dotson] Ordinance authorizing settlement of litigation of Yvonne Dotson against the City and County of San Francisco by payment of \$85,000. (USDC No. C94-0077). (City Attorney) Referred to Government Efficiency/Labor Committee.

File 045-95-019. [Settlement of Litigation, Ng vs. CCSF] Ordinance authorizing settlement of litigation of Yui Chen Ng, Sheut Ng, Wilson Ng, against the City and County of San Francisco by payment of \$18,000 (Superior Court No. 952-170). (City Attorney) Referred to Government Efficiency/Labor Committee.

File 045-95-020. [Settlement of Litigation, Homer Bolton] Ordinance authorizing settlement of litigation of Homer Bolton against the City and County of San Francisco, Michael Hennessey and Sharon Heath, by payment of \$72,500. (City Attorney) Referred to Government Efficiency/Labor Committee.

File 065-95-004. [Lease Modification, Port and Pier 33, Inc.] Ordinance approving Third Amendment to lease between the San Francisco Port Commission and Pier 33 Inc., for real property in the Pier 33 Bulkhead Building (Bay and Embarcadero). (Port Commission) Referred to Government Efficiency/Labor Committee.

File 097-95-032. [Rent Board Fee Ordinance] Ordinance amending Administrative Code by amending Section 37A.1 to exempt certain dwelling units solely owned by a non-profit public benefit corporation, to exempt certain residential care of adult care or adult day health care facilities for the elderly, and to delete the exemption for owner-occupied buildings containing four dwelling units or less. (Residential Rent Stabilization and Arbitration Board) Referred to Budget Committee.

File 097-95-033. [Revolving Funds, Board of Supervisors] Ordinance amending Administrative Code by amending Section 10.169-3 to increase the amount held in the Board of Supervisors Revolving Fund. (Acting Clerk of the Board) Referred to Budget Committee.

File 101-94-110. [Appropriation, Dept. of Public Works] Ordinance appropriating and rescinding \$4,494,000, Department of Public Works, 1990 Earthquake Safety Bonds, to various Library Capital Improvement Projects (renovation, testing, inspection, and evaluation of various branch libraries) for fiscal year 1994-95. RO #94254 (Controller) Referred to Budget Committee.

File 101-94-111. [Appropriation, Dept. of Human Resources] Ordinance appropriating \$575,060, Department of Human Resources, from General Fund Reserve and rescinding \$1,008,919 from salaries in the Fire Department to appropriate \$1,583,979 to the Department of Human Resources for Workers Compensation claims for fiscal year 1994-95. RO #94255 (Controller) Referred to Budget Committee.

Resolutions Referred to Committee

File 010-95-003. [Encroachment Permit, 2330 Post/1600 Divisadero] Resolution granting revocable permission to University of California San Francisco, to install eight (8) conduits under Post Street for pneumatic messenger tubes, electrical and communication purposes between 2330 Post Street (Block 1076, Lot 35) and 1600 Divisadero Street (Block 1077, Lot 27), and adopting findings pursuant to City Planning Code Section 101.1. (Department of Public Works) Referred to Housing and Land Use Committee.

File 048-95-012. [Settlement of Claim, James Ray Fenn] Resolution approving the settlement of the unlitigated claim of James Ray Fenn in the sum of \$8,500.00. (City Attorney) Referred to Government Efficiency/Labor Committee.

File 048-95-013. [Settlement of Claim, Frank Horton] Resolution approving the settlement of the unlitigated claim of Frank Horton by payment of \$10,000. (City Attorney) Referred to Government Efficiency/Labor Committee.



File 150-95-003. [Disaster Relief Funds - Recreation & Park Dept.] Resolution authorizing the General Manager and other designated officials of Recreation and Park Department to execute and file, on behalf of the City and County of San Francisco, an application for Federal and State financial assistance under the Robert T. Stafford Federal Disaster Relief and Emergency Assistance Act and the State Natural Disaster Assistance Act for funds as a result of the 1995 Late Winter Storms. (Recreation and Park Department) Referred to Health/Public Safety/Environment Committee.

File 170-95-005. [General Obligation Bonds, \$44,480,000] Resolution authorizing and directing the sale of City of San Francisco not to exceed \$18,480,000 principal amount of General Obligation Bonds (Public Safety Improvement Projects, 1990), Series 1995A; and not to exceed \$26,000,000 principal amount of General Obligation Bonds (Golden Gate Park Improvements, 1992), Series 1995B; prescribing the terms and form of said Bonds; approving forms of Official Notice of Sale of Bonds and Notice of Intention to Sell Bonds; directing the publication of Notice of Sale and Notice of Intention to Sell Bonds; approving the official statement relating thereto; authorizing the reimbursement of certain expenditures and ratifying certain actions; and authorizing the execution of necessary documents. (Chief Administrative Officer) Referred to Budget Committee

#### Requests Granted

There being no objection, the Board directed the Clerk to comply with the following requests:

By Supervisor Ammiano, that letter be sent to City Attorney inquiring as to the dollar costs to the City resulting from police misconduct litigation or settlement of misconduct claims in the past three years.

By Supervisor Kennedy, that letter be sent to the General Manager of the Recreation and Park Department inquiring as to the positions available in the department, specifically those positions that might be filled before the City's budget process is complete and also those that will be available after the budget process is complete.

By Supervisor Kennedy, that letter be sent to the Director of the Human Rights Commission requesting that incidents surrounding the employment of Mr. Donald D. Wishom with the City and County be investigated. (Detailed information submitted to be attached.)

By Supervisor Shelley, that letter be sent to the Director of the Water Department inquiring as to their plans for addressing the water level at Lake Merced and that response be prepared prior to the Special Meeting of the Board of Supervisors on June 12, 1995 at 6:00 p.m.

By Supervisor Teng, that letter be sent to the City Attorney requesting an itemized breakdown of costs incurred throughout the course of the Anne Young litigation including: cost of pre-trial, trial preparation and trial costs incurred by the City Attorney, time expended by Fire Department personnel regarding the subject case, a description of all settlement offers presented by plaintiffs prior to trial, and an itemized projection of costs for appeal of the jury verdict and of a new trial.

#### Motions Adopted

Motion that the Board adjourn its meeting this date out of respect to the memory of the following deceased:

Bishop Elden Corbin (Supervisor Kennedy)  
Floyd R. Comstock (Supervisor Hallinan)

File 2-95-20

Unanimously adopted by a rising vote.

#### ADJOURNMENT

There being no further business, the Board at the hour of 5:52 p.m. adjourned.

Jean Lum, Acting Clerk

N.B. This Journal of Proceedings sets forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.



Monday, May 22, 1995

Approved by the Board of Supervisors on July 24, 1995.

I, John L. Taylor, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Journal of Proceedings of said Board on the date stated and was approved as recited.

John L. Taylor  
Clerk of the Board of Supervisors



Tuesday, May 30, 1995

# **Journal of Proceedings**

*The Minutes of the*

## **Board of Supervisors**

City and County of San Francisco

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JOURNAL OF PROCEEDINGS

BOARD OF SUPERVISORS

\_\_\_\_\_  
Tuesday, May 30, 1995 - 2:00 p.m.  
\_\_\_\_\_

The Board of Supervisors of the City and County of San Francisco met in regular session on the above date with President Kevin Shelley presiding.

CALLING THE ROLL

The meeting was called to order at 2:07 p.m. On call of the roll, the following Supervisors were noted present:

Supervisors Ammiano, Bierman, Hallinan, Kaufman, Leal, Migden, Shelley, Teng - 8.

Noted absent at first roll call:

Supervisors Alioto, Hsieh, Kennedy - 3.

Quorum present.

Supervisor Alioto was noted present at 2:09 p.m.

Supervisor Hsieh was noted present at 2:26 p.m.

Supervisor Kennedy was noted present at 2:08 p.m.

APPROVAL OF JOURNALS

There being no errors, corrections or omissions, Supervisor Teng, seconded by Supervisor Ammiano, moved that the Journal of Proceedings for Monday, April 24, 1995, be approved.

Motion carried by the following vote:

Ayes: Supervisors Ammiano, Bierman, Hallinan, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 9.

Absent: Supervisors Alioto, Hsieh - 2.

CONSENT CALENDAR

Recommendations of Budget Committee

Finally Passed

[Appropriation - Dept. of Public Health-Mental Health]  
Ordinance appropriating \$1,138,290 of Medi-Cal revenue to medical services contracts to allow the Department of Public Health-Mental Health to expand drug Medi-Cal Eligible Substance Abuse Programs for fiscal year 1994-95; providing for ratification of action previously taken. (Supervisors Hsieh, Alioto)

File 101-94-102, Ordinance No. 184-95

(Fiscal Impact.)

Finally passed.

Passed for Second Reading

[Appropriation - Adult Probation]  
Ordinance appropriating \$270,000, Adult Probation Department, from the General Fund Reserve to salaries to allow the Adult Probation Department to maintain staffing for fiscal year 1994-95. (Controller)

File 101-94-99, Ordinance No.

Passed for second reading.

[Appropriation - Dept. of Public Health]

Ordinance appropriating \$775,049, Department of Public Health, from the General Fund Reserve for costs associated with the 1994-95 Memorandum of Understanding for Staff Nurses and increased costs of nurses dental coverage in fiscal year 1994-95; providing for ratification of action previously taken. (Controller)

File 101-94-103, Ordinance No.

Passed for second reading.

[Appropriation - Dept. of Public Health-Mental Health]

Ordinance appropriating \$991,116, Department of Public Health-Mental Health of 1987 Mental health Facility Bond Interest Earnings to the Mental Health Rehabilitation Skilled Nursing Facility Capital Improvement Project for fiscal year 1994-95. (Controller)

File 101-94-104, Ordinance No.

Passed for second reading.

[Appropriation - Medical Examiner]

Ordinance appropriating \$97,000, Medical Examiner, from the General Fund Reserve to allow the Medical Examiner to purchase equipment for fiscal year 1994-95. (Controller)

File 101-94-106, Ordinance No.

Passed for second reading.

Recommendations of Government Efficiency and Labor Committee

Passed for Second Reading

[Settlement of Litigation, M. Rubalcaba]

Ordinance authorizing settlement of litigation of Maria Rubalcaba against the City and County by payment of \$14,610. (City Attorney)

File 45-95-16, Ordinance No.

(Superior Court No. 953-843.)

Passed for second reading.

[Settlement of Litigation, Arnold Diem]

Ordinance authorizing settlement of litigation of Arnold Diem against the City and County by payment of \$67,000 plus \$7,517 for workers compensation, attorney's fees; arrangement to facilitate retirement pension. (City Attorney)

File 45-95-17, Ordinance No.

(U.S. District Court No. C94-0051.)

Passed for second reading.

[Settlement of Litigation, Yvonne Dotson]

Ordinance authorizing settlement of litigation of Yvonne Dotson against the City and County by payment of \$85,000. (City Attorney)

File 45-95-18, Ordinance No.

(USDC No. C94-0077.)

Passed for second reading.

[Settlement of Litigation, Ng vs. CCSF]

Ordinance authorizing settlement of litigation of Yui Cheng Ng, Sheut Ng, Wilson Ng, against the City and County by payment of \$18,000. (City Attorney)

File 45-95-19, Ordinance No.

(Superior Court No. 952-170.)

Passed for second reading.

[Lease Modification, Port and Pier 33, Inc.]

Ordinance approving Third Amendment to lease between the Port Commission and Pier 33 Inc., for real property in the Pier 33 bulkhead building (Bay and The Embarcadero). (Port Commission)

File 65-95-4, Ordinance No.

Passed for second reading.

Adopted

[Settlement of Claim, UCSF]

Resolution approving the settlement of unlitigated claim of University of California, San Francisco by payment of \$32,251.79. (City Attorney)

File 48-95-11, Resolution No. 441-95

Adopted.

[Settlement of Claim, James Ray Fenn]

Resolution approving the settlement of the unlitigated claim of James Ray Fenn in the sum of \$8,500.00. (City Attorney)

File 48-95-12, Resolution No. 442-95

Adopted.

[Grant - American Plastics Council]

Resolution authorizing the Chief Administrative Officer (CAO) to accept and expend \$30,000 from the American Plastics Council. (Chief Administrative Officer)

File 133-95-4, Resolution No. 457-95

Adopted.

[Environmental Education for Schools Grant]

Resolution authorizing the Chief Administrative Officer (CAO) to apply for up to \$15,000 in environmental education for schools grant funding, from the California State Department of Education; waiving indirect costs. (Supervisor Hallinan)

File 133-95-5, Resolution No. 452-95

Adopted.

[State Grant, Solid Waste Management]

Resolution authorizing the Department of Public Health, Bureau of Environmental Health Management, to apply for and accept and expend a grant of \$22,004, from the California Integrated Waste Management Board, for the support of the Bureau of Environmental Health Management, local enforcement agency's solid waste facilities permitting and inspection program; waiving indirect cost. (Department of Public Health)

File 146-95-6, Resolution No. 453-95

Adopted.

The foregoing items on the Consent Calendar were acted upon by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 10.

Absent: Supervisor Hsieh - 1.

REGULAR CALENDAR

UNFINISHED BUSINESS

From the Clerk

Adopted

[Findings]

Motion adopting findings approving the decision of the City Planning Commission approving Conditional Use Application No. 94.619C, for establishment of a Residential Care Facility on property located at 2210 Clay Street and adopting findings pursuant to City Planning Code Section 101.1. (Acting Clerk of the Board)

File 37-95-4.4

Supervisors Kennedy and Leal Excused from Voting

On advice of the City Attorney, Supervisors Kennedy and Leal requested to be excused from voting because they were not present during the public hearing and have not listen to the tapes of the proceedings.

Thereupon, Supervisor Kaufman, seconded by Supervisor Bierman, moved to excuse Supervisors Kennedy and Leal from voting.

Motion adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 10.

Absent: Supervisor Hsieh - 1.

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Kaufman, Migden, Shelley, Teng - 8.

Excused: Supervisors Kennedy, Leal - 2.

Absent: Supervisor Hsieh - 1.

Recommendations of Budget Committee

Finally Passed

[Appropriation - Municipal Railway]

Ordinance appropriating \$8,859,766 to the Municipal Railway to offset shortfalls in passenger fare revenues, claims and judgements, materials and supplies, workers compensation and services to City Attorney, funded from General Reserve (\$5,259,766), Transit Impact Development Fund (\$2,100,000) and San Francisco County Transportation Authority (\$1,500,000) for fiscal year 1994-95; subject of previous budgetary denial and providing for ratification of action previously taken. (Public Transportation Commission)

File 101-94-98, Ordinance No. 183-95

(Fiscal Impact.)

Finally passed by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 10.



Absent: Supervisor Hsieh - 1.

[In-Home Supportive Services Public Authority]

Ordinance amending the Administrative Code, to establish a Public Authority pursuant to California Welfare and Institutions Code Section 12301.6 to provide for the delivery of in-home supportive services. (Supervisors Shelley, Bierman, Ammiano, Alioto, Teng, Kennedy, Migden, Hallinan, Hsieh, Leal, Kaufman)

File 97-95-20, Ordinance No. 185-95

(Adds Chapter 70, consisting of Sections 70.1 through 70.10.)

Finally passed by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 10.

Absent: Supervisor Hsieh - 1.

Recommendation of Government Efficiency and Labor Committee

Finally Passed

[Compensation, Superior Court, FY 1994-95]

Ordinance setting schedules of compensation and other economic benefits for certain classifications of persons employed by the Superior Court for the City and County. (Municipal Court)

File 106-95-3, Ordinance No. 186-95

Finally passed by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 10.

Absent: Supervisor Hsieh - 1.

NEW BUSINESS

Recommendations of Budget Committee

Passed for Second Reading

[Appropriation - Hetch Hetchy Water and Power]

Ordinance appropriating \$745,139, Hetch Hetchy Water and Power Operating Funds to a capital improvement project to repair the Early Intake Access Road for fiscal year 1994-95; providing for ratification of action previously taken. (Controller)

File 101-94-100, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 10.

Absent: Supervisor Hsieh - 1.

[Appropriation - Dept. of Parking and Traffic]

Ordinance appropriating \$2,448,891, Department of Parking and Traffic, of Parking Meter Revenue Bond Proceeds and rescinding \$300,000 from the Vallejo Street Garage Capital Project to reimburse the Parking Revenue Fund for advances of \$596,554 and appropriate \$2,152,337 to the San Francisco General Hospital Garage Capital Project for fiscal year 1994-95; placing \$1,465,070 on reserve. (Controller)

File 101-94-101, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 10.

Absent: Supervisor Hsieh - 1.

[Appropriation - Sheriff's Department]

Ordinance appropriating and rescinding \$180,000, Sheriff's Department, to overtime for fiscal year 1994-95; subject of previous budgetary denial. (Controller)

File 101-94-105, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 10.

Absent: Supervisor Hsieh - 1.

[Appropriation - Port]

Ordinance appropriating and transferring \$2,993,539 from various Port funds to capital improvement projects at the Port of San Francisco for fiscal year 1994-95; placing \$2,993,539 on reserve. (Controller)

File 101-94-107, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 9.

Noes: Supervisor Hallinan - 1.

Absent: Supervisor Hsieh - 1.

[Appropriation - Dept. of Public Works]

Ordinance appropriating \$9,340,000 from the Clean Water Operating Fund to a capital improvement project (sewer system improvements) at the Department of Public Works for fiscal year 1994-95; placing \$6,174,154 on reserve. (Controller)

File 101-94-108, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 10.

Absent: Supervisor Hsieh - 1.

[Sale of Surplus Property]

Ordinance authorizing the sale of surplus real property under jurisdiction of Department of Public Works to Lillian L. Chen and Franklin K. Chen, as joint tenants, and adopting findings pursuant to City Planning Code Section 101.1 (Assessor's Block 2044, Lot 1). (Supervisor Alioto)

File 96-94-4, Ordinance No.

(Fiscal Impact.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 10.

Absent: Supervisor Hsieh - 1.

[Grand Jury Reports - Hearings]

Ordinance amending the Administrative Code, to require a public hearing by the Board of Supervisors on reports submitted to them by the Civil Grand Jury and requiring the Controller to report on the status of implementation of the recommendations. (Supervisors Hsieh, Bierman, Kaufman, Leal, Shelley)

File 97-95-21, Ordinance No.

(Adds Section 2.10.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 10.

Absent: Supervisor Hsieh - 1.

In connection with the above item, Supervisors Leal, Shelley, requested to be added as co-sponsors.

Passed for Second Reading as Amended

[Assessment Appeals Board]

Ordinance amending the Administrative Code, to waive the filing fee for an application for reduction of assessment where the application is accompanied by a stipulation with the Assessor and the application is filed after the Assessment Appeals Board has reduced the assessment for a prior tax year; to allow refund of only half of the hearing fee where the applicant prevails and obtains a reduction from the Assessment Appeals Board; to allow Assessment Appeals Board No. 2 to hear appeals involving property of any type on the Secured or Unsecured Roll assessed at \$20,000,000 or less, excluding properties in certain designated Assessor's Blocks and possessory interests; to require the Assessment Appeals Board to accept recommendations of hearing officers as to which there is no timely objection. (Supervisor Kaufman)

File 97-95-26, Ordinance No.

(Fiscal Impact.)

(Amends Sections 2B.10, 2B.13 and 2B.18.)

Supervisor Bierman, seconded by Supervisor Kaufman, moved to amend title to add: "to waive the filing fee for an application for reduction of assessment where the application is accompanied by a stipulation with the Assessor and the application is filed after the Assessment Appeals Board has reduced the assessment for a prior tax year," and to add Section 2B.9, subsections (a),(b),(i),(ii), and (iii) to read as follows: (a) the applicant would qualify for a waiver of court fees and costs pursuant to California Government Code Section 68511.3; or (b)(i) the application is accompanied by a stipulation pursuant to Revenue and Taxation Code Section 1607 signed by the Assessor, the applicant, and the City Attorney; (ii) the application requests a reduction for the tax year following a tax year for which the Assessment Appeals Board has reduced the assessed value at the time of filing the application for the subsequent tax year; and (iii) the applicant's opinion of value is not less than the value determined by the Board for the prior year plus any automatic increases allowed by law."

Motion to amend adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 10.

Absent: Supervisor Hsieh - 1.

Passed for second reading as amended by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 10.

Absent: Supervisor Hsieh - 1.

Passed for Second Reading

[Reward Authorization]

Ordinance authorizing payment of a \$5,000 reward to Robert K. Winn and Robert K. Forest. (Police Department)

File 155-95-5, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 10.

Absent: Supervisor Hsieh - 1.

Adopted

[Park and Open Space Fund, 1995-96]

Resolution concurring with the general recommendations on the Park and Open Space Fund for fiscal year 1995-1996, reserving approval or disapproval on specific acquisitions. (Recreation and Park Department)

File 168-95-1, Resolution No. 456-95

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 10.

Absent: Supervisor Hsieh - 1.

Recommendations of Government Efficiency and Labor Committee

Consideration Continued as Amended

[Membership Criteria for Retirement System]

Ordinance amending Administrative Code regarding Membership Criteria for Retirement System. (Department of Human Resources)

File 97-95-15, Ordinance No.

(Amends Section 16.42;  
Deletes Section 16.43.)

Supervisor Hallinan, seconded by Supervisor Teng, moved an amendment of the whole bearing same title as above.

Amendment of the whole adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 10.

Absent: Supervisor Hsieh - 1.

Supervisor Hallinan, seconded by Supervisor Bierman, moved to continue consideration as amended to June 5, 1995

Motion to continue adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 10.

Absent: Supervisor Hsieh - 1.

Passed for Second Reading

[Outreach Advertising Revenue Fund]

Ordinance amending Administrative Code, to establish a revenue fund for outreach advertising. (Supervisors Hallinan, Teng)

File 97-95-31, Ordinance No.

(Adds Section 10.117-114.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

In connection with the above item, Supervisor Teng requested to be added as co-sponsor.

Adopted

[Official Newspapers]

Resolution designating the San Francisco Examiner to be official newspaper of the City and County for specified categories of advertising, and designating the San Francisco Independent to be the official newspaper for other specified categories of official advertising, commencing July 1, 1995. (Supervisors Hallinan, Teng)

File 112-95-1, Resolution No. 449-95

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 10.

Noes: Supervisor Hsieh - 1.

In connection with the above item, Supervisor Teng requested to be added as co-sponsor.

[Outreach Newspapers]

Resolution designating the Small Business Exchange to be outreach newspaper of the City and County for the African-American community; designating the Chinese Times to be outreach newspaper for the Chinese community; designating the San Francisco Sentinel to be outreach newspaper for the Gay/Lesbian/Bisexual community; and designating the San Francisco Latino to be outreach newspaper for the Hispanic community, commencing July 1, 1995, for outreach advertising. (Supervisor Hallinan, Teng)

File 112-95-2, Resolution No. 450-95

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Migden, Shelley, Teng - 10.

Noes: Supervisor Leal - 1.

In connection with the above item, Supervisor Teng requested to be added as co-sponsor.

[Community Development Block Grant Funds, 1995]

Resolution opposing the rescission of \$349.2 million in Community Development Block Grant moneys. (Supervisors Teng, Bierman)

File 13-95-9, Resolution No. 440-95

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

In connection with the above item, Supervisor Bierman requested to be added as co-sponsor.

[Employee Claims, Personal Property Damaged/Stolen]

Resolution authorizing reimbursement for cost of personal property of City and County employees damaged and/or stolen in the line of duty. (Budget Committee)

File 51-95-1, Resolution No. 443-95

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

[Neighborhood Recycling Centers]

Resolution urging the retention of San Francisco's neighborhood recycling centers at their existing locations, when feasible, and nearby alternatives are not available, and calling upon the office of the Chief Administrative Officer and its Solid Waste Program, and Recreation and Park Commission to assist in the preservation of community recycling centers, and urging any entity promoting the displacement of said recycling centers to do everything in their power to retain a much needed service amid a dense urban environment. (Supervisors Hallinan, Bierman, Ammiano, Alioto, Teng)

File 57-95-2, Resolution No. 457-95

Adopted by the following vote:

Monday, May 30, 1995

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

In connection with the above item, Supervisor Teng requested to be added as co-sponsor.

[Grant - Summer Food Program]

Resolution authorizing the Mayor to apply for, accept and expend \$825,958 from the United States Department of Agriculture (USDA) to sponsor the Summer Food Service Program for needy children; providing for ratification of action previously taken. (Mayor)

File 68-95-6, Resolution No. 444-95

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

[Housing/Detoxification Centers for Homeless]

Resolution authorizing the Mayor to accept and expend a grant from the U.S. Department of Housing and Urban Development for a total amount not to exceed four million dollars (\$4,000,000) for the acquisition, rehabilitation and construction of supportive housing and detoxification facilities for homeless individuals; indirect costs associated with the acceptance of this grant will be paid by Community Development Block Grant funds. (Mayor's Office of Housing)

File 79-95-4, Resolution No. 445-95

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

[Amendment to MDU, Local 216]

Resolution ratifying amendment to Memorandum of Understanding between the Building Material and Construction Teamsters, Local 216 and the City and County to correct clerical error. (Department of Human Resources)

File 93-95-20.2, Resolution No. 446-95

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

Passed for Second Reading

[Amendment to Fiscal Provisions]

Ordinance amending Ordinance No. 130-95 implementing the fiscal provisions of the Memorandum of Understanding between the Building Material and Construction Teamsters, Local 216 and the City and County for the period July 1, 1995 through and including June 30, 1998; companion measure to File 93-95-20.2. (Department of Human Resources)

File 93-95-20.3, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

Adopted

[MDU, Admin. Provisions, Local 39]

Resolution ratifying administrative provisions of Memorandum of Understanding between the International Union of Operating Engineers, Stationary Engineers, Local 39 and the City and County awarded by the panel of arbitrators. (Supervisor Shelley)

File 93-95-28.1, Resolution No. 447-95

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

Passed for Second Reading

[Fiscal Provisions]

Ordinance implementing the fiscal provisions of the Memorandum of Understanding between the International Union of Operating Engineers, Stationary Engineers, Local 39 and the City and County awarded by the Arbitration Panel; companion measure to File 93-95-28.1. (Supervisor Shelley)

File 93-95-28, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

Adopted

[Pay Equity Report, Fiscal Year 1995-96]

Resolution ratifying the fiscal year 1995-1996 pay equity study as certified by the Human Resources Director. (Department of Human Resources)

File 106-95-6, Resolution No. 448-95

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

Adopted as Amended

(See Journal of Proceedings of June 12, 1995  
for disapproval by Mayor.)

[Mandatory Direct Rent Payment Program]

Resolution urging the Mayor to urge the Social Services Commission not to implement the Mandatory Direct Rent Payment Program at this time and to not approve the Mandatory Direct Rent Payment Program contract until they are satisfied that an adequate number of decent rooms is available for use by clients under this program, and until other serious and pertinent issues concerning this program are resolved. (Supervisors Hallinan, Teng, Bierman, Ammiano)

File 107-95-1.1, Resolution No.

Supervisor Hallinan, seconded by Supervisor Bierman, moved to amend title, line 2 and page 2, line 14 following the words "urges the" by inserting "Mayor to urge the"; amend page 1, line 10 by substituting "2,600" for (("3,000")), and following the word San Francisco by inserting "identify themselves as"; amend line 12 by substituting "640" for (("700")).

Motion to amend adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Leal, Migden, Shelley, Teng - 8.

Noes: Supervisors Hsieh, Kaufman, Kennedy - 3.

Adopted as amended by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Leal, Migden, Shelley, Teng - 8.

Noes: Supervisors Hsieh, Kaufman, Kennedy - 3.

In connection with the above item, Supervisor Ammiano requested to be added as co-sponsor.

[Grant-State, TDA Funds-Bicycle/Pedestrian Projects]

Resolution authorizing the Director of Public Works and the Executive Director of the Department of Parking and Traffic to execute documents necessary to apply for, accept and expend \$573,107 of Transportation Development Act (TDA) Article 3, Funds for Bicycle and Pedestrian Projects; waiving indirect costs; placing \$18,000 on reserve. (Department of Public Works)

File 148-95-3, Resolution No. 454-95

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

[Annual Joint Fundraising Drive]

Resolution designating those agencies qualified to participate in the 1995 Annual Joint Fundraising Drive for officers and employees of the City and County of San Francisco. (Government Efficiency and Labor Committee)

File 162-95-1, Resolution No. 455-95

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

[Club Bien Bien Liquor License]

Resolution determining that the issuance of an Alcoholic Beverage Control License to Asia Pacific Entertainment dba Club Bien Bien will serve the convenience and necessity of the City and County, in accordance with Section 23958.4 of the California Business and Professions Code. (Supervisors Shelley, Teng, Migden, Hsieh, Kaufman, Alioto)

File 223-95-3, Resolution No. 433-95

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

[Hennessy's Liquor License Transfer]

Resolution determining that transfer of License No. 20279801, a Beer and Wine Type 20 Liquor License, from 4575 Mission Street to 199 Brannan Street, will serve the convenience and necessity of the people of the City and County, in accordance with Section 23958.4 of the California Business and Professions Code. (Supervisor Hallinan)

File 223-95-4, Resolution No. 417-95

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

#### Recommendation of Housing and Land Use Committee

Passed for Second Reading

[U. N. Plaza Farmers' Market Permit]

Ordinance approving a temporary revocable permit for a Farmers' Market at United Nations Plaza for the period of May 1, 1995 through June 26, 1995. (Chief Administrative Officer)

File 10-95-2, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

#### Conference with City Attorney - Litigation

Motion that the Board of Supervisors convene in closed session with Deputy City Attorney, Noreen Ambrose, Andy Moran, General Manager, Public Utilities Commission, Kate Hermann Stacey, Deputy City Attorney, and Water Department Project Manager, Rick Nelson, for the purpose of conferring or receiving advice from the City Attorney regarding potential litigation concerning both the proposed development of Water Department lands in unincorporated territory near Pleasanton and Pleasanton's efforts to annex the property as defendant and as plaintiff authorized by California Government Code Section 54956.9.



Supervisor Hallinan, seconded by Supervisor Leal, moved adoption.

Adopted by the following vote:

Ayes: Supervisors Alioto Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

#### Recess

The Board recessed at the hour of 3:43 p.m. to convene in closed session.

#### Reconvening of the Board

The Board at the hour of 4:19 p.m., reconvened.

#### Calling the Roll

On call of the roll, the following Supervisors were noted present:

Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

Quorum present.

#### Report on Closed Session

Deputy City Attorney Ted Lakey reported that the Board met in closed session for the reason as stated above. The discussion was informational only and the Board was not asked to take any specific action.

#### Adopted

Motion that the Board of Supervisors finds that it is in the best interest of the public and elects not to disclose its closed session deliberations in pending litigation.

Supervisor Kennedy, seconded by Supervisor Hallinan, moved adoption.

Motion adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

#### PUBLIC COMMENT

The privilege of the floor was granted to the following persons:

Al Rose Smith, abuse of handicapped students at City College; Ace Washington, Assessor's Office and Black issues; Al Simmons, foster care placement of Black children; Joe, reconsideration of mandatory taxicab shields; John Halton, morale of employees in solid waste industry.

There being no one else present wishing to speak, the President declared the public comment portion of the meeting closed.

#### FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures were introduced at a prior meeting of the Board with action requested at this meeting. Any Supervisor may require these measures to go to committee unless a motion to suspend the rules is adopted by eight votes (or a unanimous vote if only six or seven members are present). An "aye" vote is (a) a vote in favor of suspending the rule requiring reference to committee, and (b) a vote in favor of adoption of the measures. Eight votes (or a unanimous vote if only six or seven members are present) is required.

#### Adopted

[Commending Marilyn Hope Smulyan]

Resolution commending Marilyn Hope Smulyan for her many years of tireless, effective guidance of and participation in the San Francisco Bicycle Advisory Committee. (Supervisors Bierman, Migden, Shelley, Alioto)

File 6-95-51, Resolution No. 437-95

(May 22, 1995 - Introduced in Board for consideration on May 30, 1995.)

Adopted.

[Court Appointed Special Advocates]

Resolution acknowledging the award of a grant by the California Judicial Council to the San Francisco Court Appointed Special Advocates. (Supervisor Shelley)

File 6-95-52, Resolution No. 438-95

(May 22, 1995 - Introduced in Board for consideration on May 30, 1995.)

Adopted.

[Mental Health Services]

Resolution urging the State Legislature and the State of California Department of Mental Health to restore \$2.3 million to the proposed allocation to San Francisco for managing the care of inpatient psychiatric services for Medi-Cal eligible clients, consistent with current year need and utilization. (Supervisors Hsieh, Alioto, Ammiano, Bierman)

File 12-95-34, Resolution No. 439-95

(May 22, 1995 - Introduced in Board for consideration on May 30, 1995.)

Adopted.

In connection with the above item, Supervisor Bierman requested to be added as co-sponsor.

[Hold Harmless Agreement]

Resolution authorizing the Port to hold the U.S. Department of Commerce, Economic Development Administration and the California Trade and Commerce Agency, Office of Strategic Technology harmless for claims arising from improvements to the cranes at the Pier 70 Shipyard. (Supervisor Shelley)

File 144-95-1.1, Resolution No. 416-95

(May 22, 1995 - Introduced in Board for consideration on May 30, 1995.)

Adopted.

The foregoing items on the For Adoption Without Committee Reference Calendar were adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 10.

Absent: Supervisor Alioto - 1.

#### IMMEDIATE ADOPTION CALENDAR

These measures are being introduced at this meeting. A unanimous vote is required for adoption today. Any Supervisor may require any of these measures to go to committee.

[Leaves of Absence]

Resolution granting leaves of absence to various city and county officers with permission to leave the state. (Clerk of the Board)

File 1-95-21, Resolution No. 418-95

(Michael Hardeman, Commissioner, Port of San Francisco, June 14 - 16; Calvin Louie, Commissioner, Human Rights Commission, May 25 - June 16; John E. Newlin, Executive Director, Department of Parking and Traffic, May 30 - June 2, 1995.)

Adopted

The foregoing items on the Immediate Adoption Calendar were adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 10.

Absent: Supervisor Alioto - 1.

IMPERATIVE CALENDAR

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the following two motions.

Adopted

[Purely Commendatory Finding]

Motion that the Board finds by roll call vote that the resolutions being considered at this time are purely commendatory.

Supervisor Kennedy, seconded by Supervisor Teng, moved adoption.

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 10.

Absent: Supervisor Alioto - 1.

[Brown Act Finding]

Motion that the Board finds by roll call vote that for the resolutions being considered at this time there is a need to take immediate action and the need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

Supervisor Kennedy, seconded by Supervisor Teng, moved adoption.

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 10.

Absent: Supervisor Alioto - 1.

[Imperative Resolutions, if any]

Adopted

[Heart Start Day - June 1, 1995]

Resolution declaring June 1, 1995 Heart Start Day in San Francisco.

File 004-95-013, Resolution No. 419-95

Supervisors Shelley, Leal, Migden presented for immediate adoption.

Resolution adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 10.

Absent: Supervisor Alioto - 1.

[Chinese American Women's Business League]

Resolution commending the Chinese American Women's Business League (CAWBL) on the occasion of its First Anniversary celebration and declaring June 3, 1995 Chinese American Women's Business League Day in San Francisco.

File 006-95-055, Resolution No. 422-95

Supervisors Teng, Alioto, Shelley, Kaufman, Migden, Bierman, Leal presented for immediate adoption.

Resolution adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 10.

Absent: Supervisor Alioto - 1.

[Commending Mercy High School]

Resolution commending Mercy High School on the occasion of commencement exercises for its class of 1995 and declaring June 2, 1995 Mercy High School Day in San Francisco.

File 006-95-056, Resolution No. 423-95

Supervisors Teng, Leal presented for immediate adoption.

Resolution adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 10.

Absent: Supervisor Alioto - 1.

OFF-CALENDAR LEGISLATION

ROLL CALL FOR INTRODUCTION OF MEASURES AND COMMUNICATIONS  
NOT CONSIDERED OR REPORTED ON BY COMMITTEE

Referred to Committee

[Interim Annual Appropriation Ordinance]

Ordinance appropriating all estimated receipts and all estimated expenditures for the City and County of San Francisco for the fiscal year ending June 30, 1996. Supervisor Hsieh presented. Referred to Budget Committee.

File 101-95-001.

[Interim Annual Salary Ordinance]

Ordinance enumerating positions in the annual budget and appropriation ordinance for fiscal year ending June 30, 1996, continuing, creating or establishing these positions; enumerating and including therein all positions created by Charter or state law for which compensations are paid from City and County funds and appropriated in the annual appropriation ordinance; authorizing appointments or continuation of appointments thereto; specifying and fixing the compensations and work schedules thereof; and authorizing appointments to temporary positions and fixing compensations therefor. Supervisor Hsieh presented. Referred to Budget Committee.

File 102-95-001.

Referred to Board

[Commending Cable Television]

Resolution commending the staff and Board of Directors of the San Francisco Community Television Corporation (CTC) on the occasion of the Second Anniversary, June 1, 1995, of the Government Access Channel, Citywatch. Supervisor Bierman presented. Referred to Board for Adoption Without Committee Reference Calendar June 5, 1995.

File 006-95-053.

[Emily's List 10th Anniversary]

Resolution commemorating and honoring Emily's List on their 10th Anniversary. Supervisors Migden, Kaufman, Bierman, Alioto, Kennedy, Teng, Shelley, Hallinan, Leal presented. Referred to Board for Adoption Without Committee Reference Calendar June 5, 1995.

File 006-95-054.

[State Legislation, SB 1257]

Resolution requesting the City Lobbyist and the San Francisco delegation in the State Legislature oppose adoption of SB 1257 which would limit local government authority in regard to rent control. Supervisor Ammiano presented. Referred to Board for Adoption Without Committee Reference Calendar June 5, 1995.

File 012-95-035.

[State Legislation, AB 230]

Resolution opposing AB 230 which would reduce the statewide revenues available to the state emergency telephone number account which helps fund the City's 911 emergency response system. Supervisor Shelley presented. Referred to Board for Adoption Without Committee Reference Calendar June 5, 1995.

File 012-95-036.

[Federal Funding Cuts to CDBG Programs]

Resolution opposing rescission of FY 1995 and reduction of FY 1996 Federal Community Development Block Grant (CDBG) and other program funds; requesting development of a process to determine and address the impact of reduced funding; directing the Clerk of the San Francisco Board of Supervisors to transmit a copy of this resolution to the National Association of Counties, the Association of Bay Area Governments, and the California State Association of Counties for presentation to the House of Representatives, Senate, and President; and urging that all actions necessary and appropriate to carry out the intent of this resolution be taken as speedily as possible. Supervisors Teng, Bierman presented. Referred to Board for Adoption Without Committee Reference Calendar June 5, 1995.

File 013-95-016.

[Attorney General Amicus Curae Brief]

Resolution urging California Attorney General Dan Lungren to withdraw his Amicus Curae Brief asking the United States Supreme Court to uphold Colorado's homophobic "Amendment Two". Supervisors Hallinan, Alioto, Ammiano, Bierman, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng presented. Referred to Board for Adoption Without Committee Reference Calendar June 5, 1995.

File 013-95-017.

Referred to Committee

[Gift Acceptance]

Resolution accepting gifts of \$11,000 from various sources to fund the National Blue Ribbon Commission and authorizing the National Blue Ribbon Commission to expend the monies donated to facilitate the business of the Commission and directing the Clerk of the Board of Supervisors to reimburse the Commission for monies expended to carry out its functions. Supervisor Bierman presented. Referred to Budget Committee.

File 038-95-003.

Referred to Board

[Traditional Chinese Medicine]

Resolution urging the Health Services Board to expand coverage to employees of the City and County of San Francisco insured under the City Health Plan to include traditional Chinese medical treatments. Supervisors Alioto, Teng, Ammiano, Bierman, Hallinan, Kaufman, Hsieh, Kennedy, Shelley presented. Referred to Board for Adoption Without Committee Reference Calendar June 5, 1995.

File 078-95-002.01.

Referred to Committee

[Grant - Federal and State Funds]

Resolution authorizing the Executive Director of the Port of San Francisco to apply for, accept and expend \$650,000 from the California Coastal Conservancy for public access repairs and renovations to Pier 43. Supervisor Kaufman presented. Referred to Government Efficiency/Labor Committee with request it be considered at its June 13, 1995 meeting.

File 144-95-002.

[Community Bank of the Bay]

Resolution endorsing the formation of the Community Bank of the Bay and directing staff of the Redevelopment Agency to reserve funding in the amount of \$500,000 for the equity investment in the bank and making available \$50,000 in contract funding to help defray organizational cost associated with founding the bank. Supervisor Kennedy presented. Referred to Budget Committee with request it be considered at the June 7, 1995 meeting.

File 161-95-007.

[MUNI Transit Supervisor and Manager]

Resolution urging the Mayor and the Municipal Transportation Commission undertake immediate steps to reinstate in the up-coming budget a sufficient number of MUNI Transit Supervisor and Transit Manager positions to restore acceptable levels of MUNI on-time service and more efficiently resolve transit problems. Supervisor Ammiano presented. Referred to Housing and Land Use Committee.

File 171-95-002.

[Public Housing]

Resolution adopting a one for one replacement of all public housing demolished or revitalized in the City and County of San Francisco. Supervisor Kennedy presented. Referred to Economic Vitality/Social Policy Committee.

File 206-95-004.

Referred to Board

[Consent Decree Resolutions]

Resolution urging the City Attorney to adhere to the Board's unanimous policy decision urging Consent Decree extension as the official position of the City and County of San Francisco. Supervisors Teng, Ammiano, Alioto, Hallinan, Kennedy, Migden, Bierman presented. Referred to Board for Adoption Without Committee Reference Calendar June 5, 1995.

File 208-95-002.01.

[Street Trees, Assessment District Study]

Resolution urging the General Manager of the Recreation and Park Department to include in the Benefit Assessment District feasibility study a method for the maintenance and repair of street trees. Supervisor Hallinan presented. Referred to Board for Adoption Without Committee Reference Calendar June 5, 1995.

File 231-95-002.

Requests for Hearings

[Proposition 184]

Hearing to consider Proposition 184, "Three Strikes and You're Out". Supervisor Hallinan presented. Referred to Government Efficiency/Labor Committee with request it be considered at its June 27, 1995 meeting.

File 012-95-037.

[Parking Rates, Civic Center Garage]

Hearing to review the parking rate changes at the Civic Center Garage, pursuant to Resolution 907-94. Supervisor Hsieh presented. Referred to Budget Committee.

File 047-95-010.

[Central Freeway - Status Report]

Hearing to consider the status of the Central Freeway as required by Resolution 221-95, with input from the Citizens Advisory Task Force, CalTrans and other concerned parties. Supervisors Migden, Hallinan presented. Referred to Housing and Land Use Committee.

File 085-95-002.

Motions

Referred to Board

[Needle Exchange Emergency]

Motion concurring in the determination of the Mayor for the continued need for the Declaration of Emergency in connection with the needle exchange emergency. Supervisors Alioto, Leal, Bierman, Shelley, Migden presented. Referred to Board for Adoption Without Committee Reference Calendar June 5, 1995.

File 030-95-001.11.

[Task Force on Prostitution]

Motion extending the life of the Task Force on Prostitution until December 15, 1995. Supervisor Hallinan presented. Referred to Board for Adoption Without Committee Reference Calendar June 5, 1995.

File 174-95-003.01.

[California Winter Storms of 1995]

Motion concurring in the determination of the Mayor for the continued need for the Declaration of Emergency in connection with the California Winter Storms of 1995. Supervisors Shelley, Teng presented. Referred to Board for Adoption Without Committee Reference Calendar June 5, 1995.

File 270-95-003.05.

Introduced by the President at the Request of Departments

Ordinances Referred to Committee

File 093-95-029.01. [MOU, Fiscal Provisions, Ironworkers] Ordinance implementing the fiscal provisions of the Memorandum of Understanding between the Ironworkers Union, Local 377 and the City and County of San Francisco; companion measure to File 93-95-29. (Department of Human Resources) Referred to Government Efficiency/Labor Committee.

File 101-94-112. [Appropriation, Police and Sheriff] Ordinance appropriating \$955,423, Sheriff and Police Departments, from the General Fund Reserve for overtime, fringe benefits, materials and supplies, other non-personal services and services of other departments for costs associated with the UN 50 Celebration for fiscal year 1994-95. RO #94287 (Controller) Referred to Budget Committee.

File 164-95-002.01. [Street Vacation - Mission Bay] Ordinance ordering the vacation of a portion of Third Street within the Mission Bay Project area; adopting findings that the vacation is consistent with the City's Master Plan and Eight Priority Policies of City Planning Code Section 101.1; and finding that the vacation is part of the Mission Bay Project for purposes of compliance with the California Environmental Quality Act and readopting the Mission Bay findings; companion measure to File 164-95-2. (Real Estate Department) Referred to Housing and Land Use Committee.

Resolutions Referred to Committee

File 025-95-014. [Prop J Contract, Security Services] Resolution concurring with the Controller's certification that the weekend and holiday security guard services can be practically performed for the Department of Public Health, SFGH, Substance Abuse Services, by private contractor for a lower cost than similar work services performed by City and County employees. (Department of Public Health) Referred to Government Efficiency/Labor Committee.

File 048-95-014. [Settlement of Claim, Hilde Schlottman] Resolution approving the settlement of the unlitigated claim of Hilde Schlottman in the sum of \$25,000.00 and waive \$16,601.03 in CCSF and UCSF medical liens. (City Attorney) Referred to Government Efficiency/Labor Committee.

File 048-95-015. [Settlement of Claim, Third Baptist Church] Resolution approving the settlement of the unlitigated claim of Third Baptist Church in the sum of \$7,487.00. (City Attorney) Referred to Government Efficiency/Labor Committee.

File 048-95-016. [Settlement of Claim, Robert Milici] Resolution approving the settlement of the unlitigated claim of Robert Milici in the sum of \$17,000 and a waiver of SFGH lien of \$3,259.37. (City Attorney) Referred to Government Efficiency/Labor Committee.

File 089-95-002. [SDI Coverage, 9248 Airport Facilities Manager] Resolution authorizing enrollment of classification(s) 9248 in the State Disability Insurance Program. (Department of Human Resources) Referred to Government Efficiency/Labor Committee.

File 093-95-029. [MOU, Ironworkers Union, Local 377] Resolution ratifying administrative provisions of Memorandum of Understanding between the Ironworkers Union, Local 377 and the City and County of San Francisco awarded by the panel of arbitrators; companion measure to File 93-95-29.1. (Department of Human Resources) Referred to Government Efficiency/Labor Committee.

File 164-95-002. [Street Vacation - Mission Bay] Resolution declaring intention of the Board of Supervisors to vacate a portion of Third Street in the Mission Bay Project area; adopting findings pursuant to City Planning Code Section 101.1; and finding that the vacation is part of the Mission Bay Project for purposes of California Environmental Quality Act and readopting the Mission Bay findings; setting date for public hearing; companion measure to File 164-95-2.1 (Real Estate Department) Referred to Housing and Land Use Committee.

File 172-95-021. [Contract Modification-CCSF/Siemens Corporation] Resolution approving the modification of the contract agreement between Rolm and City and County, dated September 20, 1994 in excess of ten percent of the contract amount. (Department of Electricity and Telecommunications) Referred to Government Efficiency/Labor Committee.

File 199-95-001. [Jurisdictional Transfer] Resolution transferring jurisdiction of a portion of Lots 7, 8, 8A, 9 and 10, Assessor's Block 3742, from the Department of Public Works to the Port of San Francisco, for use as a public park; and adopting findings that such transfer is consistent with the City's Master Plan and Eight Priority Policies of City Planning Code Section 101.1. (Real Estate Department) Referred to Budget Committee.

Requests Granted

There being no objection, the Board directed the Clerk to comply with the following request:

By Supervisor Hallinan, that letter be sent to City Attorney to withdraw condemnation proceedings regarding Hunt Lane.

Motions Adopted

Motion that the Board adjourn its meeting this date out of respect to the memory of the following deceased:

Steven Sutherland (Supervisor Migden)  
William Brian O'Shea (Supervisor Migden)  
Jack Park (Supervisor Bierman)  
Hazel Helen Shiman (Supervisor Leal)  
Grace M. Kramer (Supervisor Leal)  
Agnes M. Service (Supervisor Leal)  
Raymond Barone (Supervisor Alioto)  
Helen Irene James-Castone Holmes (Supervisor Kennedy)

File 2-95-21

Unanimously adopted by a rising vote.

ADJOURNMENT

There being no further business, the Board at the hour of 4:42 p.m. adjourned.

Jean Lum, Acting Clerk

N.B. This Journal of Proceedings sets forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on July 31, 1995.

I, John L. Taylor, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Journal of Proceedings of said Board on the date stated and was approved as recited.

John L. Taylor  
Clerk of the Board of Supervisors



Monday, June 5, 1995

# **Journal of Proceedings**

*The Minutes of the*

## **Board of Supervisors**

City and County of San Francisco

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Volume 90

Number 22



JOURNAL OF PROCEEDINGS

BOARD OF SUPERVISORS

\_\_\_\_\_  
Monday, June 5, 1995 - 2:00 p.m.  
\_\_\_\_\_

The Board of Supervisors of the City and County of San Francisco met in regular session on the above date with President Kevin Shelley presiding.

CALLING THE ROLL

The meeting was called to order at 2:09 p.m. On call of the roll, the following Supervisors were noted present:

Supervisors Bierman, Hallinan, Kaufman, Kennedy, Leal, Shelley, Teng - 7.

Noted absent at first roll call:

Supervisors Alioto, Ammiano, Hsieh, Migden - 4.

Quorum present.

Supervisor Hsieh excused, on official leave of absence.

Supervisor Alioto was noted present at 2:13 p.m.

Supervisor Ammiano was noted present at 2:11 p.m.

Supervisor Migden excused. (See infra.)

Supervisor Migden Excused

The Clerk stated Supervisor Migden requested to be excused from attending today's meeting.

Supervisor Kaufman, seconded by Supervisor Kennedy, moved to excuse Supervisor Migden.

Motion adopted by the following vote:

Ayes: Supervisors Bierman, Hallinan, Kaufman, Kennedy, Leal, Shelley, Teng - 7.

Absent: Supervisors Alioto, Ammiano, Hsieh, Migden - 4.

CONSENT CALENDAR

Recommendations of Budget Committee

Finally Passed

[Appropriation - Adult Probation]

Ordinance appropriating \$270,000, Adult Probation Department, from the General Fund Reserve to salaries to allow the Adult Probation Department to maintain staffing for fiscal year 1994-95. (Controller)

File 101-94-99, Ordinance No. 188-95

Finally passed.

[Appropriation - Hetch Hetchy Water and Power]

Ordinance appropriating \$745,139, Hetch Hetchy Water and Power Operating Funds to a capital improvement project to repair the Early Intake Access Road for fiscal year 1994-95; providing for ratification of action previously taken. (Controller)

File 101-94-100, Ordinance No. 189-95

Finally passed.

[Appropriation - Dept. of Parking and Traffic]

Ordinance appropriating \$2,448,891, Department of Parking and Traffic, of Parking Meter Revenue Bond Proceeds and rescinding \$300,000 from the Vallejo Street Garage Capital Project to reimburse the Parking Revenue Fund for advances of \$596,554 and appropriate \$2,152,337 to the San Francisco General Hospital Garage Capital Project for fiscal year 1994-95; placing \$1,465,070 on reserve. (Controller)

File 101-94-101, Ordinance No. 190-95

Finally passed.

[Appropriation - Dept. of Public Health]

Ordinance appropriating \$775,049, Department of Public Health, from the General Fund Reserve for costs associated with the 1994-95 Memorandum of Understanding for Staff Nurses and increased costs of nurses dental coverage in fiscal year 1994-95; providing for ratification of action previously taken. (Controller)

File 101-94-103, Ordinance No. 191-95

Finally passed.

[Appropriation - Dept. of Public Health-Mental Health]

Ordinance appropriating \$991,116, Department of Public Health-Mental Health of 1987 Mental Health Facility Bond Interest Earnings to the Mental Health Rehabilitation Skilled Nursing Facility Capital Improvement Project for fiscal year 1994-95. (Controller)

File 101-94-104, Ordinance No. 192-95

Finally passed.

[Appropriation - Medical Examiner]

Ordinance appropriating \$97,000, Medical Examiner, from the General Fund Reserve to allow the Medical Examiner to purchase equipment for fiscal year 1994-95. (Controller)

File 101-94-106, Ordinance No. 194-95

Finally passed.

[Appropriation - Dept. of Public Works]

Ordinance appropriating \$9,340,000 from the Clean Water Operating Fund to a capital improvement project (sewer system improvements) at the Department of Public Works for fiscal year 1994-95; placing \$6,174,154 on reserve. (Controller)

File 101-94-108, Ordinance No. 195-95

Finally passed.

[Sale of Surplus Property]

Ordinance authorizing the sale of surplus real property under jurisdiction of Department of Public Works to Lillian L. Chen and Franklin K. Chen, as joint tenants, and adopting findings pursuant to City Planning Code Section 101.1 (Assessor's Block 2044, Lot 1). (Supervisor Alioto)

File 96-94-4, Ordinance No. 187-95

(Fiscal Impact.)

Finally passed.

[Grand Jury Reports - Hearings]

Ordinance amending the Administrative Code, to require a public hearing by the Board of Supervisors on reports submitted to them by the Civil Grand Jury and requiring the Controller to report on the status of implementation of the recommendations. (Supervisors Hsieh, Bierman, Kaufman, Leal, Shelley)

File 97-95-21, Ordinance No. 205-95

(Adds Section 2.10.)

Finally passed.

[Reward Authorization]

Ordinance authorizing payment of a \$5,000 reward to Robert K. Winn and Robert K. Forest. (Police Department)

File 155-95-5, Ordinance No. 182-95

Finally passed.

Recommendations of Government Efficiency and Labor Committee

Finally Passed

[Settlement of Litigation, M. Rubalcaba]

Ordinance authorizing settlement of litigation of Maria Rubalcaba against the City and County by payment of \$14,610. (City Attorney)

File 45-95-16, Ordinance No. 198-95

(Superior Court No. 953-843.)

Finally passed.

[Settlement of Litigation, Arnold Diem]

Ordinance authorizing settlement of litigation of Arnold Diem against the City and County by payment of \$67,000 plus \$7,517 for workers compensation, attorney's fees; arrangement to facilitate retirement pension. (City Attorney)

File 45-95-17, Ordinance No. 199-95

(U.S. District Court No. C94-0051.)

Finally passed.

[Settlement of Litigation, Yvonne Dotson]

Ordinance authorizing settlement of litigation of Yvonne Dotson against the City and County by payment of \$85,000. (City Attorney)

File 45-95-18, Ordinance No. 200-95

(USDC No. C94-0077.)

Finally passed.

[Settlement of Litigation, Ng vs. CCSF]

Ordinance authorizing settlement of litigation of Yui Cheng Ng, Sheut Ng, Wilson Ng, against the City and County by payment of \$18,000. (City Attorney)

File 45-95-19, Ordinance No. 201-95

(Superior Court No. 952-170.)

Finally passed.

[Lease Modification, Port and Pier 33, Inc.]

Ordinance approving Third Amendment to lease between the Port Commission and Pier 33 Inc., for real property in the Pier 33 bulkhead building (Bay and The Embarcadero). (Port Commission)

File 65-95-4, Ordinance No. 202-95

Finally passed.

[Amendment to Fiscal Provisions]

Ordinance amending Ordinance No. 130-95 implementing the fiscal provisions of the Memorandum of Understanding between the Building Material and Construction Teamsters, Local 216 and the City and County for the period July 1, 1995 through and including June 30, 1998. (Department of Human Resources)

File 93-95-20.3, Ordinance No. 203-95

Finally passed.

[Fiscal Provisions]

Ordinance implementing the fiscal provisions of the Memorandum of Understanding between the International Union of Operating Engineers, Stationary Engineers, Local 39 and the City and County awarded by the Arbitration Panel. (Supervisor Shelley)

File 93-95-28, Ordinance No. 204-95

Finally passed.

[Outreach Advertising Revenue Fund]

Ordinance amending Administrative Code, to establish a revenue fund for outreach advertising. (Supervisors Hallinan, Teng)

File 97-95-31, Ordinance No. 207-95

(Adds Section 10.117-114.)

Finally passed.

Recommendation of Housing and Land Use Committee

Finally Passed

[U. N. Plaza Farmers' Market Permit]

Ordinance approving a temporary revocable permit for a Farmers' Market at United Nations Plaza for the period of May 1, 1995 through June 26, 1995. (Chief Administrative Officer)

File 10-95-2, Ordinance No. 197-95

Finally passed.

The foregoing items on the Consent Calendar were acted upon by the following vote:

Ayes: Supervisors Ammiano, Bierman, Hallinan, Kaufman, Kennedy, Leal, Shelley, Teng - 8.

Absent: Supervisors Alioto, Hsieh, Migden - 3.

REGULAR CALENDAR

UNFINISHED BUSINESS

Recommendations of Budget Committee

Finally Passed

[Appropriation - Sheriff's Department]

Ordinance appropriating and rescinding \$180,000, Sheriff's Department, to overtime for fiscal year 1994-95; subject of previous budgetary denial. (Controller)

File 101-94-105, Ordinance No. 193-95

Finally passed by the following vote:

Ayes: Supervisors Ammiano, Bierman, Hallinan, Kaufman, Kennedy, Leal, Shelley, Teng - 8.

Absent: Supervisors Alioto, Hsieh, Migden - 3.

[Appropriation - Port]

Ordinance appropriating and transferring \$2,993,539 from various Port funds to capital improvement projects at the Port of San Francisco for fiscal year 1994-95; placing \$2,993,539 on reserve. (Controller)

File 101-94-107, Ordinance No. 196-97

Finally passed by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Kaufman, Kennedy, Leal, Shelley, Teng - 8.

Noes: Supervisor Hallinan - 1.

Absent: Supervisors Hsieh, Migden - 2.

[Assessment Appeals Board]

Ordinance amending Administrative Code, to waive the filing fee for an application for reduction of assessment where the application is accompanied by a stipulation with the Assessor and the application is filed after the Assessment Appeals Board has reduced the assessment for a prior tax year to allow refund of only half of the hearing fee where the applicant prevails and obtains a reduction from the Assessment Appeals Board, to allow Assessment Appeals Board No. 2 to hear appeals involving property of any type on the Secured or Unsecured Roll assessed at \$20,000,000 or less, excluding properties in certain designated Assessor's Blocks and possessory interests, to require the Assessment Appeals Board to accept recommendations of hearing officers as to which there is no timely objection. (Supervisor Kaufman)

File 97-95-26, Ordinance No. 206-95

(Fiscal Impact.)

(Amends Sections 2B.9, 2B.10, 2B.13 and 2B.18.)

Finally passed by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Kaufman, Kennedy, Leal, Shelley, Teng - 9.

Absent: Supervisors Hsieh, Migden - 2.

Recommendation of Government Efficiency and Labor Committee

Passed for Second Reading as Amended

[Membership Criteria for Retirement System]

Ordinance amending Administrative Code, regarding Membership Criteria for Retirement System. (Department of Human Resources)

File 97-95-15, Ordinance No.

(Amends Section 16.42;  
Deletes Section 16.43.)

(May 30, 1995 - Consideration continued to June 5, 1995 to allow for meet and confer.)

Supervisor Hallinan, seconded by Supervisor Kennedy, moved to amend page 6, beginning on line 21 through page 7, line 1, to delete the following: "The provisions of this subsection (b)(iii) will not apply to employees of the San Francisco Unified School District or San Francisco Community College District."

Motion to amend adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Kaufman, Kennedy, Leal, Shelley, Teng - 9.

Absent: Supervisors Hsieh, Migden - 2.

Passed for second reading as amended by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Kaufman, Kennedy, Leal, Shelley, Teng - 9.

Absent: Supervisors Hsieh, Migden - 2.

NEW BUSINESS

Conference with Labor Negotiator - Collective Bargaining

Adopted

Motion that the Board of Supervisors convene in closed session with, Wendell Pryor, Director of Human Resources, for the purpose of reviewing the City's position and instructing its designated representatives concerning collective bargaining negotiations involving all forms of compensation (including wages, hours, benefits, and working conditions), with all recognized employee organizations, as authorized by California Government Code Section 54957.6.

Supervisor Ammiano, seconded by Supervisor Leal, moved adoption.

Motion adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Kaufman, Kennedy, Leal, Shelley, Teng - 9.

Absent: Supervisors Hsieh, Migden - 2.

Recess

The Board recessed at the hour of 2:24 p.m. to convene in closed session pursuant to above motion.

Reconvening of the Board

The Board, at the hour of 2:50 p.m. reconvened.

Calling the Roll

On call of the roll, the following Supervisors were noted present:

Supervisors Ammiano, Bierman, Hallinan, Kaufman, Kennedy, Leal, Shelley, Teng - 8.

Noted Absent: Supervisors Alioto, Hsieh, Migden - 3.

Quorum present.

Supervisor Alioto, was noted present at 2:52 p.m.

Supervisor Hsieh, excused. (See supra.)

Supervisor Migden excused. (See supra.)

Report on Closed Session

President Shelley reported that the Board of Supervisors met with Wendell Pryor, Director of Human Resources, for the purpose of reviewing the City's position and instructing its designated representatives concerning collective bargaining negotiations involving all forms of compensation (including wages, hours, benefits, and working conditions), with all recognized employee organizations, as authorized by California Government Code Section 54957.6. The Board made no motion and took no action.

Adopted

Motion that the Board of Supervisors finds that it is in the best interest of the public and elects not to disclose its closed session deliberations in pending employee relations negotiations.

Supervisor Kaufman, seconded by Supervisor Kennedy, moved adoption.

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Hallinan, Kaufman, Kennedy, Leal, Shelley, Teng - 8.

Absent: Supervisors Alioto, Hsieh, Migden - 3.

SPECIAL ORDER - 3:00 P.M.

Hearing Closed



[Public Hearing]

Hearing of all persons interested in or objecting to proposed schedules of sewer service charges to be paid by users for fiscal year 1995-96, pursuant to Articles 4.1 and 4.2 of the Public Works Code; providing for severability clause.

File 21-95-1

The President inquired if there was anyone present who wished to address the Board.

There being no response, the President declared the public hearing closed.

Adopted

[Sewer Service Charge, 1995/96]

Resolution adopting and imposing schedules of sewer service charges to be paid by users for fiscal year 1995-96 pursuant to Articles 4.1 and 4.2 of the Public Works Code; providing for severability clause. (Chief Administrative Officer)

File 21-95-1, Resolution No. 468-95

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Hallinan, Kaufman, Leal, Shelley, Teng - 7.

Noes: Supervisor Alioto - 1.

Absent: Supervisors Hsieh, Kennedy, Migden - 3.

SPECIAL ORDER - 3:00 P.M.

Hearing Held

[Public Hearing]

Hearing appealing decision of City Planning Commission by its Motion No. 13862, dated April 13, 1995, approving Conditional Use Application No. 93.314C for conditional use authorization to allow construction of a parking platform to serve the University of San Francisco and above an existing parking lot under Section 178(C) of the Planning Code in an RH-2 (House, Two Family) and a 40-x Height and Bulk District on property located at 501 Parker Avenue; Lot 1, in Assessors Block 1144.

File 37-95-5

(Appeal filed May 15, 1995.)

The President inquired if there was anyone present who wished to address the Board.

The privilege of the floor was granted to the following:

Sue Hester, Harry O'Brien.

There being no one else present wishing to speak, the President declared the public hearing closed.

Adopted

[Environmental Review]

Motion certifying review of Final Negative Declaration relating to proposed conditional use of property at 501 Parker Avenue.

File 37-95-5.1

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Leal, Shelley, Teng - 9.

Absent: Supervisors Hsieh, Migden - 2.

(Only one of the following two motions should be adopted.)

Tabled

[Zoning Appeal, 501 Parker Avenue]

Motion approving decision of the City Planning Commission by its Motion No. 13862, approving Conditional Use Application No. 93.314C, on property located at 501 Parker Avenue, and adopting findings pursuant to City Planning Code Section 101.1.

File 37-95-5.2

Supervisor Kennedy, seconded by Supervisor Bierman, moved to table.

Tabled by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Leal, Shelley, Teng - 9.

Absent: Supervisors Hsieh, Migden - 2.

Adopted as Amended

[Zoning Appeal, 501 Parker Avenue]  
Motion disapproving decision of the City Planning Commission by its Motion No. 13862, approving Conditional Use Application No. 93.314C, on property located at 501 Parker Avenue, and approving granting a Conditional Use Permit subject to conditions imposed by City Planning Commission and additional conditions and adopting findings pursuant to City Planning Code Section 101.1.

File 37-95-5.3

Supervisor Bierman, seconded by Supervisor Kaufman, moved to amend title following 501 Parker Avenue to add: "and approving granting a Conditional Use Permit subject to conditions imposed by City Planning Commission and additional conditions"; amend page 1, line 15 to add the following: "; and be it FURTHER MOVED, That the Board of Supervisors approves granting a conditional use permit subject to conditions imposed by City Planning Commission by its Motion No. 13862, dated April 13, 1995 and as further amended by the Board of Supervisors pursuant to "Exhibit A, Revised Conditions of Approval" received in Board on June 5, 1995.

Motion to amend adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Leal, Shelley, Teng - 9.

Absent: Supervisors Hsieh, Migden - 2.

Adopted as amended by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Leal, Shelley, Teng - 9.

Absent: Supervisors Hsieh, Migden - 2.

Adopted

[Findings]  
Motion directing the Clerk of the Board to prepare findings relating to proposed Conditional Use Application No. 93.314C on property located at 501 Parker Avenue, for action by the Board at its next meeting.

File 37-95-5.4

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Leal, Shelley, Teng - 9.

Absent: Supervisors Hsieh, Migden - 2.

PUBLIC COMMENT

The privilege of the floor was granted to the following persons:

Virginia Conway, location of bicycle lockers;  
Jay Bradshaw, workers compensation for seismic retrofit workers;  
Al Simmons, Foster Home placement of Black children;  
Laura, small business;  
Luis Solares, workers compensation for seismic retrofit workers.

There being no one else present wishing to speak, the President declared the public comment portion of the meeting closed.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures were introduced at a prior meeting of the Board with action requested at this meeting.

Any Supervisor may require these measures to go to committee unless a motion to suspend the rules is adopted by eight votes (or a unanimous vote if only six or seven members are present). An "aye" vote is (a) a vote in favor of suspending the rule requiring reference to committee, and (b) a vote in favor of adoption of the measures. Eight votes (or a unanimous vote if only six or seven members are present) is required.

Severed From For Adoption Without Committee Reference Calendar

Supervisor Teng requested that the following measure be severed from the For Adoption Without Committee Reference Calendar and considered separately.

Referred to Committee

[Submission of Resolutions on Consent Decree]

Resolution urging the City Attorney to adhere to the Board's unanimous policy decision urging Consent Decree extension as the official position of the City and County of San Francisco. (Supervisors Teng, Ammiano, Alioto, Hallinan, Kennedy, Migden, Bierman, Leal)

File 208-95-2.1, Resolution No.

(May 30, 1995 - Introduced in Board for consideration on June 5, 1995.)

At the request of Supervisor Teng, referred to Government Efficiency and Labor Committee.

Supervisor Bierman requested the following measure be severed from the For Adoption Without Committee Reference Calendar and considered separately.

Adopted

[California Winter Storms of 1995]

Motion concurring in the determination of the Mayor for the continued need for the Declaration of Emergency in connection with the California Winter Storms of 1995. (Supervisors Shelley, Teng, Leal)

File 270-95-3.5

(May 30, 1995 - Introduced in Board for consideration on June 5, 1995.)

Adopted.

Ayes: Supervisors Alioto, Ammiano, Hallinan, Hsieh, Kaufman, Leal, Shelley, Teng - 8.

Absent: Supervisors Bierman, Hsieh, Migden - 3.

In connection with the above item, Supervisor Leal requested to be added as co-sponsor.

The Board thereupon resumed its consideration of the following items on the For Adoption Without Committee Reference Calendar.

For Adoption Without Committee Reference Calendar

Adopted

[Commending Cable Television]

Resolution commending the staff and Board of Directors of the San Francisco Community Television Corporation (CTC) on the occasion of the Second Anniversary, June 1, 1995, of the Government Access Channel, Citywatch. (Supervisor Bierman)

File 6-95-53, Resolution No. 459-95

(May 30, 1995 - Introduced in Board for consideration on June 5, 1995.)

Adopted.

[Emily's List 10th Anniversary]

Resolution commemorating and honoring Emily's List on their 10th Anniversary. (Supervisors Migden, Kaufman, Bierman, Alioto, Kennedy, Teng, Shelley, Hallinan, Leal)

File 6-95-54, Resolution No. 463-95

(May 30, 1995 - Introduced in Board for consideration on June 5, 1995.)

Adopted.

[SB 1257 Regarding Rent Control]

Resolution requesting the City Lobbyist and the San Francisco delegation in the State Legislature oppose adoption of SB 1257 which would limit local government authority in regard to rent control. (Supervisor Ammiano, Bierman)

File 12-95-35, Resolution No. 464-95

(May 30, 1995 - Introduced in Board for consideration on June 5, 1995.)

Adopted.

In connection with the above item, Supervisor Bierman requested to be added as co-sponsor.

[AB 230-Reduction of Revenues to 911]

Resolution opposing AB 230 which would reduce the statewide revenues available to the state emergency telephone number account which helps fund the City's 911 emergency response system. (Supervisors Shelley, Alioto, Bierman)

File 12-95-36, Resolution No. 465-95

(May 30, 1995 - Introduced in Board for consideration on June 5, 1995.)

Adopted.

In connection with the above item, Supervisor Bierman requested to be added as co-sponsor.

[Federal Funding Cuts to CDBG Programs]

Resolution opposing rescission of FY 1995 and reduction of FY 1996 Federal Community Development Block Grant (CDBG) and other program funds; requesting development of a process to determine and address the impact of reduced funding; directing the Clerk of the San Francisco Board of Supervisors to transmit a copy of this resolution to the National Association of Counties, the Association of Bay Area Governments, and the California State Association of Counties for presentation to the House of Representatives, Senate, and President; and urging that all actions necessary and appropriate to carry out the intent of this resolution be taken as speedily as possible. (Supervisors Teng, Bierman, Alioto, Shelley)

File 13-95-16, Resolution No. 466-95

(May 30, 1995 - Introduced in Board for consideration on June 5, 1995.)

Adopted.

In connection with the above item, Supervisor Shelley requested to be added as co-sponsor.

[Attorney General Amicus Curae Brief]

Resolution urging California Attorney General Dan Lungren to withdraw his Amicus Curae Brief asking the United States Supreme Court to uphold Colorado's homophobic "Amendment Two". (Supervisors Hallinan, Alioto, Ammiano, Bierman, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng)

File 13-95-17, Resolution No. 467-95

(May 30, 1995 - Introduced in Board for consideration on June 5, 1995.)

Adopted.

[Traditional Chinese Medicine]

Resolution urging the Health Services Board to expand coverage to employees of the City and County insured under the City Health Plan to include traditional Chinese medical treatments. (Supervisors Alioto, Teng, Ammiano, Bierman, Hallinan, Kaufman, Hsieh, Kennedy, Shelley)

File 78-95-2.1, Resolution No. 469-95

(May 30, 1995 - Introduced in Board for consideration on June 5, 1995.)

Adopted.

[Street Trees in Assessment District Study]

Resolution urging the General Manager of the Recreation and Park Department to include in the Benefit Assessment District feasibility study a method for the maintenance and repair of street trees. (Supervisor Hallinan)

File 231-95-2, Resolution No. 470-95

(May 30, 1995 - Introduced in Board for consideration on June 5, 1995.)

Adopted.

[Needle Exchange Emergency]

Motion concurring in the determination of the Mayor for the continued need for the Declaration of Emergency in connection with the needle exchange emergency. (Supervisors Alioto, Leal, Bierman, Shelley, Migden)

File 30-95-1.11

(May 30, 1995 - Introduced in Board for consideration on June 5, 1995.)

Adopted.

[Task Force on Prostitution]

Motion extending the life of the Task Force on Prostitution until December 15, 1995. (Supervisor Hallinan)

File 174-95-3.1

(May 30, 1995 - Introduced in Board for consideration on June 5, 1995.)

Adopted.

The foregoing items on the For Adoption Without Committee Reference Calendar were adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Kennedy, Leal, Shelley, Teng - 8.

Absent: Supervisors Hsieh, Kaufman, Migden - 3.

IMMEDIATE ADOPTION CALENDAR

Adopted

[Leaves of Absence]

Resolution granting leaves of absence to various city and county officers with permission to leave the state. (Clerk of the Board)

File 1-95-22, Resolution No. 434-95

(Tom Ammiano, member, Board of Supervisors, June 11 - 14; Susan Leal, member, Board of Supervisors, June 10 - 14; Carole Migden, member, Board of Supervisors, June 4 - 14; Lucille Abrahamson, Commissioner, Human Rights Commission, June 3 - 6, 1995.)

Adopted.

The foregoing items on the Immediate Adoption Calendar were adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Kaufman, Kennedy, Leal, Shelley, Teng - 9.

Absent: Supervisors Hsieh, Migden - 2.

IMPERATIVE CALENDAR

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the following two motions.

Adopted

[Purely Commendatory Finding]

Motion that the Board finds by roll call vote that the resolutions being considered at this time are purely commendatory.

Supervisor Leal, seconded by Supervisor Teng, moved adoption.

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Kaufman, Kennedy, Leal, Shelley, Teng - 9.

Absent: Supervisors Hsieh, Migden - 2.

[Brown Act Finding]

Motion that the Board finds by roll call vote that for the resolutions being considered at this time there is a need to take immediate action and the need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

Supervisor Leal, seconded by Supervisor Teng, moved adoption.

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Kaufman, Kennedy, Leal, Shelley, Teng - 9.

Absent: Supervisors Hsieh, Migden - 2.

[Imperative Resolutions, if any]

Adopted

[Proclaiming Prime Minister Gyula Horn Day]

Resolution declaring June 10, 1995 as Prime Minister Gyula Horn Day in the City and County of San Francisco.

File 004-95-014, Resolution No.

Supervisor Shelley presented for immediate adoption.

Resolution adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Kaufman, Kennedy, Leal, Shelley, Teng - 9.

Absent: Supervisors Hsieh, Migden - 2.

[Commending the Women and Cancer Walk]

Resolution commending the organizers of the Women and Cancer Walk for their efforts to increase awareness of breast cancer and proclaiming June 11, 1995 as "Women and Cancer Walk Day" in the City and County of San Francisco.

File 006-95-057, Resolution No.

Supervisors Leal, Kaufman, Bierman presented for immediate adoption.

Resolution adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Kaufman, Kennedy, Leal, Shelley, Teng - 9.

Absent: Supervisors Hsieh, Migden - 2.

#### OFF-CALENDAR LEGISLATION

#### ROLL CALL FOR INTRODUCTION OF MEASURES AND COMMUNICATIONS NOT CONSIDERED OR REPORTED ON BY COMMITTEE

Referred to Committee

[Real Property Transfer Tax]

Substitute Ordinance amending Part III, Municipal Code, by amending Section 1102 (Real Property Transfer Tax Ordinance) to increase the tax rate to \$7.50 from \$3.75 for each \$500 of consideration or value of the property conveyed for transfers in which the consideration or value of the property conveyed exceeds \$1,000,000 and amending Section 1101 to clarify the City and County's authority to increase the tax rate under existing law. Supervisor Ammiano presented. Referred to Budget Committee.

File 127-95-008.

Referred to Board

[Opposing Eliminating Affirmative Action Programs]

Resolution establishing the policy of the City and County of San Francisco to oppose Governor Wilson's Executive Order eliminating certain Affirmative Action Programs. Supervisors Teng, Alioto, Ammiano, Bierman, Kennedy, Shelley presented. Referred to Board for Adoption Without Committee Reference Calendar June 12, 1995.

File 012-95-038.

[Calling for Local Congressional Hearings]

Resolution urging the Mayor to urge all of the Committees and Sub-Committees of the United States Senate and the House of Representatives through which Presidio Trust Bill, HR 1296 and S594, will pass to schedule their hearings on this legislation here in the San Francisco Bay Area and in such a way that the largest possible number of concerned citizens will be able to provide legislation. Supervisor Kennedy presented. Referred to Board for Adoption Without Committee Reference Calendar June 12, 1995.

File 013-95-018.

[Animal Experimentation in Presidio National Park]

Resolution urging the Mayor to call upon the National Park Service, the Golden Gate National Recreation Area and the Presidio National Park to categorically reject and prohibit animal experimentation as an activity that would ever be permitted at the Letterman Army Institute for Research (Letterman Site) or anywhere within the Presidio National Park. Supervisor Kennedy presented. Referred to Board for Adoption Without Committee Reference Calendar June 12, 1995.

File 066-95-001.

[Safety Partitions in Taxicabs]

Resolution urging the Mayor to urge the Chief of Police to reconsider regulations regarding the final implementation of the 50 per cent minimum compliance for installation of retractable safety partitions in taxicabs pursuant to Section 1147.2 of the Police Code. Supervisors Leal, Kaufman presented. Referred to Board for Adoption Without Committee Reference Calendar June 12, 1995.

File 121-95-003.

Referred to Committee

[Northeastern Waterfront Survey Area]

Resolution amending Resolution No. 141-77, 607-91 and 125-95, designating and describing the Northeastern Waterfront Survey Area by adding real property to said Survey Area (for sports arena in the Rincon Hill area). Supervisor Hsieh presented. Referred to Housing and Land Use Committee.

File 151-95-002.

Referred to Board

[Human Rights Commission Contract]

Resolution authorizing the Human Rights Commission to enter into a contract with the Orange County Transportation Authority, Orange County, California, to provide assistance in the development of a program to assist minority and women owned businesses, and further authorizing the Human Rights Commission to accept and expend funds received pursuant to that contract. Supervisors Shelley, Bierman presented. Referred to Board for Adoption Without Committee Reference Calendar June 12, 1995.

File 172-95-023.

Referred to Committee

[Seismic Retrofit Contracts]

Resolution establishing policy of the Board of Supervisors concerning Fair Labor Standards for seismic retrofit contracts. Supervisor Ammiano presented. Referred to Government Efficiency/Labor Committee.

File 176-95-011.

[Support for Hillhaven Nursing Home Workers]

Resolution supporting the rights of nursing home workers to work in conditions that promote their safety and well-being and to be treated with dignity and respect and not to work and live in facilities that are fast becoming the sweatshops of the health care industry. Supervisor Kennedy presented. Referred to Government Efficiency/Labor Committee.

File 176-95-012.

[Patrol Special Police Officers]

Resolution urging the Mayor to urge the Police Commission to rescind the decision that revokes Peace Officer status and declare that San Francisco Patrol Special Police Officers are Peace Officers pursuant to Penal Code Section 830.1 and declare that Assistant Patrol Special Police Officers are Peace Officers pursuant to Penal Code Section 830.6 and declare that Assistant Patrol Police Officers shall be appointed by the Chief of Police and declare that San Francisco Police Officers and San Francisco Assistant Patrol Special Police Officers shall be accountable for their conduct to the San Francisco Police Department and the Office of Citizen Complaints. Supervisors Hallinan, Bierman presented. Referred to Health/Public Safety/Environment Committee with request it be considered at its June 15, 1995 meeting.

File 207-95-008.

[Unauthorized Use of Official Commission Status]

Resolution urging the Mayor to inquire into the actions and activities of the Department of Building Inspection Commissioner Jamie Sanbonmatsu including but not limited to his possible violations of the Ralph M. Brown Act (California Government Code), and the unauthorized use of official Commission status to attempt to silence legitimate criticism of the Commission; urging the Mayor to take appropriate actions following the completion of his inquiry. Supervisor Kennedy presented. Referred to Government Efficiency/ Labor Committee.

File 228-95-004.

Requests for Hearings

[Interstate 101 Silver Avenue Exit Closing]

Hearing to consider issues surrounding the closure of the Silver Avenue exit off Interstate 101 and its impact on the surrounding business and residential community. Supervisor Shelley presented. Referred to Economic Vitality/Social Policy Committee.

File 171-95-003.

[Closing of Mission Rock Resort]

Hearing to consider the imminent closure of the Mission Rock Resort. Supervisors Hallinan, Bierman presented. Referred to Government Efficiency/Labor Committee with request it be considered at its June 27, 1995 meeting.

File 176-95-013.

[ADA Compliance of Building at 5048 Third Street]

Hearing to determine whether the Wells Fargo Building located at 5048 Third Street is in compliance with ADA (Americans With Disabilities Act) requirements. Supervisor Alioto presented. Referred to Health/Public Safety/Environment Committee

File 228-95-003.

[New Courthouse at Corner of Polk and McAllister]

Report by the Chief Administrative Officer before the Board on June 26, 1995, to explain the courthouse construction and all construction contracts planned. Scheduled for Board meeting of June 26, 1996 as a special order of business at 3:00 p.m., by direction of the President at the request of Supervisor Kennedy.

File 186-95-006.

Introduced by the President at the Request of Departments

Ordinances Referred to Committee

File 117-95-001. [Fire Department Fees] Ordinance amending Fire Code by amending Sections 3.104, 4.204, 4.207 and 4.208, to increase the fees for reinspection of violations, service fees, high-rise inspection fees, fees for review of plans submitted with building permit applications and for inspection of building construction. (Fire Commission) Referred to Budget Committee.

File 117-95-002. [Fire Code Amendments] Ordinance amending Fire Code by amending Sections 2.02, 3.101.1, 4.104, 4.108, 10.301, 10.507, 10.508, 10.510, 11.603, 14.101, 14.102, 14.104, 29.101, 29.104, 79.302, and 79.907, to make technical clarifying changes to provisions relating to permits, building access, automatic fire extinguishing and sprinkler systems, maintenance of vacant buildings, drainage and waste disposal of motor oil. (Fire Commission) Referred to Health/Public Safety/Environment Committee.



Resolutions Referred to Committee

File 025-95-015. [Prop J Contract, Steam Delivery/Purchase] Resolution approving the Controller's certification that steam delivery and purchase can be practically performed by private contractor for lower cost than similar work services performed by City and County employees. (Department of Public Works) Referred to Government Efficiency/Labor Committee.

File 027-95-009. [Federal Grant - Airports] Resolution authorizing Airports Commission to file application, accept and expend grant from Federal Aviation Administration for assistance in improvements at the Airport (Airport Improvement Program No. 10). (Airports) Referred to Government Efficiency/Labor Committee.

File 064-95-004. [Lease of Property at 2450 San Bruno Avenue] Resolution authorizing the lease of real property at 2450 San Bruno Avenue for the Portola Branch Library. (Real Estate Department) Referred to Government Efficiency/Labor Committee.

File 138-95-001. [State Grant - Automobile Insurance Fraud] Resolution authorizing the District Attorney of the City and County of San Francisco to retroactively apply for, accept and expend funds in the amount of \$324,000 made available through the California Department of Insurance for a project entitled "The Investigation and Prosecution of Automobile Insurance Fraud" for the period of July 1, 1994 through June 30, 1995. (District Attorney) Referred to Government Efficiency/Labor Committee.

File 138-95-002. [State Grant - Workers Compensation Fraud] Resolution authorizing the District Attorney of the City and County of San Francisco to retroactively apply for, accept and expend funds in the amount of \$318,507 made available through the California Department of Insurance for a project entitled "The Investigation and Prosecution of Workers Compensation Fraud" for the period July 1, 1994 through June 30, 1995. (District Attorney) Referred to Government Efficiency/Labor Committee.

File 146-95-007. [Grant, Urban Center for Applied Research Project] Resolution authorizing the Department of Public Health, AIDS Office, to apply for, accept and expend retroactively a grant of \$200,000, which includes indirect costs in the amount of \$17,112, based on twenty percent of salaries, from the Department of Health and Human Services, Centers for Disease Control, for the San Francisco as an Urban Center for Applied Research Project; providing for ratification of action previously taken. (Department of Public Health) Referred to Government Efficiency/Labor Committee.

File 161-95-005. [Redevelopment Agency Budget, 1995/96] Resolution approving an interim budget of the Redevelopment Agency of the City and County of San Francisco for fiscal year 1995-96. (Redevelopment Agency) Referred to Budget Committee.

File 161-95-006. [Redevelopment Agency Budget and Bonds] Resolution approving the budget of the Redevelopment Agency of the City and County of San Francisco for fiscal year 1995-1996; and approving the issuance by the Agency of bonds in an aggregate amount not to exceed \$16,000,000 for the purpose of financing redevelopment activities in fiscal year 1995-96. (Redevelopment Agency) Referred to Budget Committee.

File 170-95-007.01. [Underground Storage Tank Bonds Reimbursement] Resolution declaring the intent of the City and County of San Francisco to reimburse certain expenditures (repair, removal, replacement of underground storage tanks and remediation of contaminated soil) from proceeds of future indebtedness; and approving and ratifying previous actions; companion measure to File 170-95-7. (Chief Administrative Officer) Referred to Budget Committee.

File 172-95-022. [Mutual Aid Agreement, Water Agencies] Resolution authorizing the General Manager of the Public Utilities Commission to execute an updated Mutual Aid Agreement with other water agencies in the State Office of Emergency Services Region 2. (Public Utilities Commission) Referred to Government Efficiency/Labor Committee.

Requests Granted

There being no objection, the Board directed the Clerk to comply with the following requests:

By Supervisor Kennedy, that letter be sent to the General Manager of the Public Utilities Commission requesting the preparation of a response to the May 11, 1995 letter to the Board from Mayor Ben C. Tarrow of Pleasanton in reference to the planning and development of the San Francisco Water Department Bernal property in Pleasanton, along the lines that Pleasanton join San Francisco at the table along with Alameda County, to consider a plan acceptable to Pleasanton, although the City's application is being pursued through Alameda County.

By Supervisor Kennedy, that the Clerk of the Board be requested to purchase the "Salary Survey of County Officials and Department Heads" prepared by HDC & Associates at a cost of \$88.00.

By Supervisor Shelley, that the City Attorney prepare legislation to clarify or amend the law in order to prevent the theft of newspapers in bundles or from newsracks.

By Supervisor Hallinan, that the City Attorney prepare legislation that bans the sale of ammunition to minors.

By Supervisor Hallinan, that the City Attorney prepare legislation that will require sellers of ammunition to inform the public of the restrictions on the purchase of ammunition.

Motions Adopted

Motion that the Board adjourn its meeting this date out of respect to the memory of the following deceased:

Glenn Burke (Supervisor Migden)  
Werner Herbert Kraus (Supervisor Migden)  
Russell Burdett Wilgus (Supervisor Bierman)  
Herbert Tyrrell (Supervisor Kennedy)

File 2-95-22

Unanimously adopted by a rising vote.

ADJOURNMENT

There being no further business, the Board at the hour of 3:48 p.m. adjourned.

Jean Lum, Acting Clerk

N.B. This Journal of Proceedings sets forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on August 14, 1995

I, John L. Taylor, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Journal of Proceedings of said Board on the date stated and was approved as recited.

John L. Taylor  
Clerk of the Board of Supervisors

Monday, June 12 , 1995

# **Journal of Proceedings**

*The Minutes of the*

## **Board of Supervisors**

City and County of San Francisco

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Volume 90

Number 23



JOURNAL OF PROCEEDINGS

BOARD OF SUPERVISORS

Monday, June 12, 1995 - 5:00 p.m.

The Board of Supervisors of the City and County of San Francisco met in special session on the above date at the Irish Cultural Center, 2700 45th Avenue at Sloat Boulevard, with President Kevin Shelley presiding.

CALLING THE ROLL

The meeting was called to order at 5:26 p.m. On call of the roll, the following Supervisors were noted present:

Supervisors Alioto, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Shelley, Teng - 8

Noted absent at first roll call:

Supervisors Ammiano, Leal, Migden - 3.

Quorum present.

Supervisor Ammiano excused, on official leave of absence.

Supervisor Leal excused, on official leave of absence.

Supervisor Migden excused, on official leave of absence.

Statement of Supervisors Ammiano, Leal and Migden

Supervisor Kaufman read into the record the following statement on behalf of Supervisors, Ammiano, Leal and Migden explaining why they aren't here.

"Mr. Board President, fellow Members of the Board, Department Heads and staff, and our constituents and friends in the Sunset District:

Times Change. There was a time when meetings of the Board of Supervisors were only held in City Hall, away from the neighborhoods that make our City truly great. Happily, times change, and now the Board will hold its first ever meeting in the Sunset District. Although we could not be here with you tonight, please know that our thoughts are with you and we are anxious to hear about the issues you will raise tonight during the public comment portion of this meeting.

Times have also changed for the nation's lesbian and gay community. There was a time when gays and lesbians were routinely shunned by government officials and institutions. However, tomorrow we will join a delegation of 45 openly lesbian and gay elected officials from throughout the United States in a meeting with senior level Clinton Administration officials inside the White House. This meeting will mark the first time in history that a group of openly lesbian and gay elected officials have been invited to the White House. San Francisco will be well represented at this meeting. In addition to our attendance, Community College Board Member Leslie Katz and School Board Member Angie Fa will also participate in this historic meeting.

Our discussion with Administration officials will include issues vital to the lesbian and gay community - AIDS funding, civil rights issues and employment rights. In addition, we will receive briefings and will engage the Administration in discussions involving issues important to all San Franciscans, including reproductive rights, the federal budget's impact on the delivery of vital services at the local level and the protection of the Federal Budget for the National Institute of Health.

We look forward to reviewing the video tape of this meeting, and to hearing the concerns of our constituents in the Sunset. Whether the issue is the expansion of retail outlets in our neighborhoods or a waste treatment facility or a glut of parked cars with for sale signs, we are eager to work with the Sunset community to make San Francisco government more responsive to all its citizens.

Supervisor Carole Migden  
Supervisor Susan Leal  
Supervisor Tom Ammiano"

COMMUNICATION

The Clerk presented the following communication from the Registrar of Voters.

The Clerk indicated that a letter dated June 5, 1995 from the Registrar of Voters indicating the referendum petition submitted against Campaign Finance Ordinance No. 89-95 qualified for the November 7, 1995 election. Legislation has been received from the City Attorney's office for Board consideration on June 19, 1995 (Ordinance to repeal Ord. 89-95 and Motion ordering ordinance submitted to voters).

The Clerk presented the following communication from the Mayor returning with his disapproval the following resolution:

June 9, 1995

The Honorable Kevin Shelley, President  
Board of Supervisors  
City and County of San Francisco  
401 Van Ness Ave., 3rd Floor  
San Francisco, CA 94102

Dear Supervisor Shelley:

I am returning with my veto the Board's resolution urging that the Mandatory Direct Rent Payment (MDRP) program not be implemented.

The MDRP program is the result of a ballot measure I placed on last November's ballot as Proposition N. The voters passed Proposition N fully expecting that it would be implemented. Now the Board is engaging in tactics designed to thwart the wishes of the voters. The Board's interference with the voter's mandate is disrespectful to the democratic process on which we rely for peaceful governance.

Proposition N never promised to house every person who claims to be homeless. It will house an additional 640 people who currently have no housing. If there are not enough rooms for every homeless person, those for whom a room is not available will still receive their regular monthly G.A. check. Additionally, individuals who do participate in the program will have access to social workers and will be given tenants rights, helping to stabilize their lives.

San Francisco continues to pay one of the highest G.A. grants in the state - \$345.00 per person (plus almost \$100 in food stamps). Proposition N seeks to help people who are homeless gain shelter and ensure a wise use of public funds. There is nothing unfair or inhumane about expecting people who receive grant funds for shelter, food, and hygiene to be required to use those funds for their intended purpose.

There is no additional cost associated with the MDRP program. In fact, if the will of the voters is to be denied, it will require more money for G.A., not less. I urge the Board to do the right thing, to be respectful of the voters wishes, to exercise fiscal responsibility, and to allow the MDRP program to move forward immediately.

Sincerely,

Frank M. Jordan  
Mayor

Consideration Continued

[Mandatory Direct Rent Payment Program]  
Resolution urging the Mayor to urge the Social Services Commission not to implement the Mandatory Direct Rent Payment Program at this time and not to approve the Mandatory Direct Rent Payment Program contract until they are satisfied that an adequate number of decent rooms is available for use by clients under this program, and until other serious and pertinent issues concerning this program are resolved. (Supervisors Hallinan, Teng, Bierman)

File 107-95-1.1

The Clerk stated pursuant to Board of Supervisors Rule 2.9a when the Mayor returns legislation to the Board in accordance with the provisions of the Charter, the Board shall not reconsider the legislation until the first meeting after the message from the Mayor is read to the Board.

Thereupon, Supervisor Kennedy, seconded by Supervisor Hallinan, moved to continue consideration to June 19, 1995.

Motion to continue adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Shelley, Teng - 8.

Absent: Supervisors Ammiano, Leal, Migden - 3.

CONSENT CALENDAR

Recommendations of Housing and Land Use Committee

Adopted

[Traffic Regulations, Beale and Drumm Streets]

Resolution rescinding traffic regulations at Beale and Drumm Streets. (Housing and Land Use Committee)

File 20-95-8, Resolution No. 477-95

(Tow-Away, No Stopping, 3pm - 6pm, Monday through Friday (6-Month Trial Period))

Beale Street, east side, between Market and Mission Streets; Drumm Street, west side, between Sacramento and California Streets.)

Adopted.

[Residential Parking Area "S", Duboce Triangle]

Resolution extending the boundaries of Residential Permit Parking Area "S" in the Duboce Triangle Area and adding to the list of streets upon which time limitations shall apply. (Department of Parking and Traffic)

File 40-95-11, Resolution No. 478-95

Adopted.

[Residential Parking Area "S", Duboce Triangle]

Resolution extending the boundaries of Residential Permit Parking Area "S" in the Duboce Triangle Area and adding to the list of streets upon which time limitations shall apply. (Department of Parking and Traffic)

File 40-95-12, Resolution No. 479-95

Adopted.

The foregoing items on the Consent Calendar were acted upon by the following vote:

Ayes: Supervisors Alioto, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Shelley, Teng - 8.

Absent: Supervisors Ammiano, Leal, Migden - 3.

REGULAR CALENDAR

UNFINISHED BUSINESS

From the Clerk

Adopted

(Supervisors Hsieh and Migden absent during public hearing.)

[Findings]

Motion adopting findings related to the appeal of the City Planning Commission's approval of Conditional Use Application No. 93.314C, which authorized the construction of a parking platform to serve the University of San Francisco and above an existing parking lot under Section 178(C) of the Planning Code in an RH-2 (House, Two-Family) and a 40-X Height and Bulk District on property located at 501 Parker Avenue; Lot 1, in Assessor's Block 1144; adopting findings pursuant to City Planning Code Section 101.1 (Prop M); approving the issuance of the requested conditional use authorization, subject to amended conditions as imposed by the Board of Supervisors. (Acting Clerk of the Board)

File 37-95-5.5

Supervisor Hsieh Excused from Voting

Supervisor Hsieh indicated he had not listened to the tapes of the proceedings and requested to be excused from voting.

Supervisor Teng, seconded Bierman, moved to excuse Supervisor Hsieh from voting on this item.

Motion adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Shelley, Teng - 8.

Absent: Supervisors Ammiano, Leal, Migden - 3.

The roll was then called on the main motion and it was adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Hallinan, Kaufman, Kennedy, Shelley, Teng - 7.

Excused: Supervisor Hsieh - 1.

Absent: Supervisors Ammiano, Leal, Migden - 3.

Recommendation of Budget and Health, Public Safety  
and Environment Committees

Consideration Continued

[General Assistance Property Levels]

Ordinance amending Administrative Code, to increase allowable personal property under the General Assistance Program. (Supervisors Alioto, Bierman, Hallinan, Shelley)

File 97-94-41, Ordinance No.

(Fiscal Impact.)

(Amends Section 20.56.10.)

(February 13, 1995 - Consideration continued to June 12, 1995.)

Supervisor Alioto, seconded by Supervisor Teng, moved to continue consideration to June 19, 1995.

Motion to continue adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Shelley, Teng - 8.

Absent: Supervisors Ammiano, Leal, Migden - 3.

Recommendation of Government Efficiency and Labor Committee

Consideration Continued

[Membership Criteria for Retirement System]

Ordinance amending Administrative Code, regarding Membership Criteria for Retirement System. (Department of Human Resources)

File 97-95-15, Ordinance No.

(Amends Section 16.42;

Deletes Section 16.43.)

Supervisor Hallinan, seconded by Supervisor Alioto, moved to continue consideration to June 19, 1995.

Motion to continue adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Shelley, Teng - 8.

Absent: Supervisors Ammiano, Leal, Migden - 3.



NEW BUSINESS

Recommendations of Budget Committee

Passed for Second Reading

[Appropriation, Department of Public Works]

Ordinance appropriating and rescinding \$4,494,000, Department of Public Works, 1990 Earthquake Safety Bonds, to various Library Capital Improvement Projects (renovation, testing, inspection and evaluation of various branch libraries) for fiscal year 1994-95; placing \$980,400 on reserve. (Controller)

File 101-94-110, Ordinance No.

(Fiscal Impact.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Shelley, Teng - 8.

Absent: Supervisors Ammiano, Leal, Migden - 3.

[Appropriation, Department of Human Resources]

Ordinance appropriating \$575,060, Department of Human Resources, from the General Fund Reserve and rescinding \$1,008,919 from salaries in the Fire Department to appropriate \$1,583,979 to the Department of Human Resources for Workers Compensation claims for fiscal year 1994-95. (Controller)

File 101-94-111, Ordinance No.

(Fiscal Impact.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Shelley, Teng - 8.

Absent: Supervisors Ammiano, Leal, Migden - 3.

Consideration Continued

[Criminal Justice Administration Fee]

Ordinance amending Administrative Code, establishing and allowing the City and County to collect a booking fee for persons placed on probation. (Adult Probation Department)

File 97-95-30, Ordinance No.

(Adds Section 8.38.)

Supervisor Hallinan, seconded by Supervisor Bierman, moved to continue consideration to June 19, 1995.

Motion to continue adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Shelley, Teng - 8.

Absent: Supervisors Ammiano, Leal, Migden - 3.

Passed for Second Reading

[Residential Rent Stabilization and Arbitration Fee]

Ordinance amending Administrative Code, to exempt certain dwelling units solely owned by a non-profit public benefit corporation, to exempt certain residential care of adult care or Adult Day Health Care facilities for the elderly, and to delete the exemption for owner-occupied buildings containing four dwelling units or less from the Residential Rent Stabilization and Arbitration Fee. (Residential Rent Stabilization and Arbitration Board)

File 97-95-32, Ordinance No.

(Amends Section 37A.1.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Shelley, Teng - 8.

Absent: Supervisors Ammiano, Leal, Migden - 3.

[Revolving Fund, Board of Supervisors]

Ordinance amending Administrative Code, to increase the amount held in the Board of Supervisors Revolving Fund from \$500 to \$1000. (Acting Clerk of the Board)

File 97-95-33, Ordinance No.

(Amends Section 10.169-3.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Shelley, Teng - 8.

Absent: Supervisors Ammiano, Leal, Migden - 3.

[Unreinforced Mason Building (UMB) Appeals Board]

Ordinance amending Building Code, to establish an Unreinforced Masonry Building (UMB) Appeals Board and establishing fees therefor. (Supervisor Hsieh)

File 114-94-1, Ordinance No.

(Fiscal Impact.)

(Amends Sections 203(i), 204(a), 212(d), 333.5, 1405 and adds Section 1408.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Shelley, Teng - 8.

Absent: Supervisors Ammiano, Leal, Migden - 3.

Adopted

[State Issues]

Resolution requesting that the City Lobbyist and the San Francisco delegation in the State Legislature cooperate with the California Bankers Association to modify the State Bank in Lieu Tax Law to mandate subvention of a portion of these tax receipts to local government. (Supervisor Ammiano, Teng, Bierman, Alioto)

File 12-95-33, Resolution No. 476-95

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Shelley, Teng - 8.

Absent: Supervisors Ammiano, Leal, Migden - 3.

In connection with the above item, Supervisors Teng, Bierman, Alioto requested to be added as co-sponsors.

[Bond Sale]

Resolution authorizing and directing the sale of City and County of San Francisco not to exceed \$18,480,000 principal amount of General Obligation Bonds (Public Safety Improvement Projects, 1990), series 1995A; and not to exceed \$26,000,000 principal amount of General Obligation Bonds (Golden Gate Park Improvements, 1992), series 1995B; prescribing the terms and form of said bonds; approving forms of Official Notice of Sale of Bonds and Notice of Intention to Sell Bonds; directing the publication of Notice of Sale and Notice of Intention to Sell Bonds; approving the official statement relating thereto; authorizing the reimbursement of certain expenditures and ratifying certain actions; and authorizing the execution of necessary documents. (Chief Administrative Officer, Supervisor Alioto)

File 170-95-5, Resolution No. 481-95

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Shelley, Teng - 8.

Absent: Supervisors Ammiano, Leal, Migden - 3.

In connection with the above item, Supervisor Alioto requested to be added as co-sponsor.

Recommendations of Economic Vitality and Social Policy Committee

Adopted

[Community Bank of the Bay]

Resolution endorsing the formation of the Community Bank of the Bay and urging the Redevelopment Commission to reserve funding in the amount of \$500,000 for an equity investment in the bank, and make available \$50,000 in contract funding to help defray organizational costs associated with founding the bank. (Supervisors Kennedy, Teng, Alioto)

File 161-95-7, Resolution No. 483-95

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Shelley, Teng - 8.

Absent: Supervisors Ammiano, Leal, Migden - 3.

In connection with the above item, Supervisors Alioto, Teng requested to be added as co-sponsors.

Consideration Continued

[Public Housing]

Resolution urging the Housing Authority to adopt a one-for-one on site replacement of all public housing demolished or revitalized in the City and County. (Supervisor Kennedy)

File 206-95-4, Resolution No.

Supervisor Kennedy, seconded by Supervisor Kaufman, moved to continue consideration to June 19, 1995.

Motion to continue adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Shelley, Teng - 8.

Absent: Supervisors Ammiano, Leal, Migden - 3.

Recommendation of Health, Public Safety and Environment Committee

Adopted as Amended

[Tom Smith Center]

Resolution opposing the June 30, 1995 closure of the Tom Smith Center without first providing interim services that meet the needs of the diverse client population served by the Tom Smith Center, and urging his Honor, the Mayor, to urge the Health Commission and the Director of Public Health to transition the clients of the Tom Smith Center into comparable services as quickly as possible. (Supervisors Alioto, Kennedy, Bierman)

File 30-95-10, Resolution No. 485-95

Supervisor Alioto, seconded by Supervisor Kaufman, moved an amendment of the whole bearing same title as above.

Amendment of the whole adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Shelley, Teng - 8.

Absent: Supervisors Ammiano, Leal, Migden - 3.

Adopted as amended by the following vote:

Ayes: Supervisors Alioto, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Shelley, Teng - 8.

Absent: Supervisors Ammiano, Leal, Migden - 3.

In connection with the above item, Supervisors Kennedy, Bierman requested to be added as co-sponsors.

Recommendations of Housing and Land Use Committee

Adopted

[Encroachment Permit, 2330 Post/1600 Divisadero]

Resolution granting revocable permission to University of California San Francisco, to install eight (8) conduits under Post Street for pneumatic messenger tubes, electrical and communication purposes between 2330 Post Street (Block 1076, Lot 35) and 1600 Divisadero Street (Block 1077, Lot 27), and adopting findings pursuant to City Planning Code Section 101.1. (Department of Public Works)

File 10-95-3, Resolution No. 472-95

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Shelley, Teng - 8.

Absent: Supervisors Ammiano, Leal, Migden - 3.

Consideration Continued as Amended

[New State Building/455 Golden Gate Avenue]

Resolution requesting that the Joint Powers Authority select Alternative 2 as modified, for the Civic Center Complex, supporting modification of the design of the building, requesting additional mitigation measures and indicating to the Authority the opposition of the Board of Supervisors to any encroachment on or over Golden Gate Avenue. (Supervisor Bierman)

File 12-95-31.1, Resolution No. 523-95

Supervisor Bierman, seconded by Supervisor Teng, moved an amendment of the whole bearing same title as above.

Amendment of the whole adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Shelley, Teng - 8.

Absent: Supervisors Ammiano, Leal, Migden - 3.

Supervisor Bierman, seconded by Supervisor Teng, moved to continue consideration as amended to June 19, 1995.

Motion to continue as amended adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Shelley, Teng - 8.

Absent: Supervisors Ammiano, Leal, Migden - 3.

Adopted

(Supervisor Bierman dissenting in Committee.)

[Appeal, Minor Encroachment, 1033-1035 Broadway]

Motion denying the appeal of a decision by the Director of Public Works, which granted the issuance of a minor sidewalk encroachment permit to remove a portion of existing "sidewalk steps" to construct a warped driveway ramp, and related items, at 1033-1035 Broadway, and granting the issuance of a minor encroachment permit for the property at 1033-1035 Broadway, subject to two additional conditions which will decrease the slope of the sidewalk and alter the run and rise of sidewalk steps in front of the applicants' property. (Housing and Land Use Committee)

File 24-95-2

Adopted by the following vote:

Ayes: Supervisors Alioto, Hsieh, Kaufman, Kennedy, Shelley, Teng - 6.

Noes: Supervisors Bierman, Hallinan - 2.

Absent: Supervisors Ammiano, Leal, Migden - 3.

Recommendations of Rules Committee

Adopted

[Appointments, Delinquency Prevention Commission]  
Resolution appointing members to the Delinquency Prevention Commission. (Rules Committee)

File 92-94-65.2, Resolution No. 473-95

(Taima Ford, Seat No. 21801, youth seat, vice Sherry D. Tennyson, term expired, for a new four-year term ending December 31, 1998;  
Enola Maxwell, Seat No. 21803, vice herself, term expired, for a new four-year term ending December 31, 1998;  
Sherry D. Tennyson, Seat No. 21818, vice Ron Sugiyama, resigned, for the unexpired portion of the four-year term ending June 30, 1995.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Shelley, Teng - 8.

Absent: Supervisors Ammiano, Leal, Migden - 3.

[Appointments]  
Resolution appointing members to the Citizens' Advisory Task Force for the Central Freeway. (Rules Committee)

File 92-95-4, Resolution No. 480-95

(Judy West, South Van Ness District, term indefinite;  
Luis Pardo, Mission District, term indefinite.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Shelley, Teng - 8.

Absent: Supervisors Ammiano, Leal, Migden - 3.

Appointment of President Pro Tempore

At the request of the President, Supervisor Hallinan assumed the Chair so the President could participate in the discussion from the floor.

Passed for Second Reading

[On-Street Vehicle Sales]  
Ordinance amending Police Code, to remove zoning restriction from the prohibition of parking of vehicles for purpose of displaying such vehicles for sale. (Supervisors Shelley, Kaufman, Teng, Bierman)

File 121-95-1, Ordinance No.

(Amends Section 710.2.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Shelley, Teng - 8.

Absent: Supervisors Ammiano, Leal, Migden - 3.

In connection with the above item, Supervisors Kaufman, Teng, Bierman requested to be added as co-sponsors.

The President resumed the Chair.

SPECIAL ORDER 6:00 P.M.

Board of Supervisors Sitting as a Committee of the Whole

Hearing Closed

[Public Hearing]

Hearing to consider issues concerning the water levels at Lake Merced including the status of the water levels and the Water Department and Recreation and Park Department's efforts to maintain Lake Merced as an essential community resource. (Supervisors Shelley, Alioto)

File 188-95-1

Supervisor Kaufman, seconded by Supervisor Kennedy, moved to convene as a Committee of the Whole.

Motion adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Shelley, Teng - 8.

Absent: Supervisors Ammiano, Leal, Migden - 3.

A representative from the San Francisco Water Department appeared and gave a brief presentation on the Public Utilities Commission's long-term plans and strategies outlined in the Commission's Resolution No. 95-0082 (copy of which is contained in the files of the Clerk of the Board).

The President inquired if anyone present wished to speak.

There being no response, the President declared the public hearing closed.

Dance Presentation

A short presentation from dancers from Mary Healy Dance School was performed to welcome the Board to the Sunset District.

SPECIAL ORDER 6:00 P.M.

Board of Supervisors Sitting as a Committee of the Whole

Hearing Closed

[Public Hearing]

Hearing to consider the quality of life in the Sunset community and to address issues including public safety, city services, recreation and educational programs, neighborhood development, traffic flow, public transportation, and other issues of concern to the Sunset neighborhood. (Supervisor Shelley)

File 248-95-1

Supervisor Kaufman, seconded by Supervisor Kennedy, moved to convene as a Committee of the Whole.

Motion adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Shelley, Teng - 8.

Absent: Supervisors Ammiano, Leal, Migden - 3.

The President inquired if anyone present wished to speak.

The privilege of the floor was granted to the following:

Michael Fung, Charlie Ahsing, Laura Haddad, Max Tarquino, Edwin Monsada, Andre Gillyard, and Jeff Bormaster, all representing the Sunset Youth Coalition;  
Joe Crivello, Middle School Principal and collaborator with Sunset Youth Coalition;  
Anthony Lincoln, Mayor's Office of Youth and Families, work with youth;  
John Roumbanis, Public Works, work with youth;  
Linda Satto, Beacon schools;  
Pat Christensen, preservation of neighborhood business district;  
Lu Blazej, character of neighborhood commercial areas;  
Bill Wilson, community policing;  
Tony Ribera, Police Chief, community policing;  
Dorothy Longthrop, 911 system;  
Marianna Chow, Tai Chi exercise for senior citizens;  
Mark Duffet, opposition to 2900 Sloat development;  
Barbara Chionsini, opposition to 2900 Sloat development;  
William Chionsini, opposition to 2900 Sloat development;  
Kathryn Eng, health care needs of seniors;  
Robert Gellert, support of health center 5;  
Landis Whistler, crosstown sewer;

Bud Wilson, Greater West Portal Neighborhood Association;  
Vera Naumovich, opposing electrification of Line 70;  
Jerry Zagoritas, opposition to 2900 Sloat development;  
Richard Simsarian, opposing electrification of Line 70;  
Lenore Fifer, opposition to 2900 Sloat development;  
Jodie Smith, park tax;  
David Klein, Central Freeway Task Force;  
Jack Swirsky, opposition to 2900 Sloat development;  
Kathleen White, school based programs;  
Neil Kelly, supporting 2900 Sloat development;  
Bill Ferden, supporting 2900 Sloat development;  
Leo Sloss, graffiti;  
S. McGrew, support of PRIDE tax;  
Alice Sacca, opposition to PRIDE tax;  
Patricia Arack, opposition to 2900 Sloat development;  
Maline Ramide, public housing;  
Tatania Kastanian, wheelchair accessible MUNI transportation;  
George Taintner, sidewalk on east side of Lake Merced;  
Stella Cahill, opposition to 2900 Sloat development;  
Margaret Sigel, opposition to 2900 Sloat development;  
Anita Theoharis, character of neighborhood;  
Robin Embry, citing parked cars with "for sale" signs;  
Robert Pender, residential rent stabilization fees going to the General Fund;  
David Ferguson, more Board meetings in the neighborhoods;  
Paul Kavanagh, PRIDE tax;  
Allan Chang, electrification of Line 70.

There being no one else present wishing to speak, the President declared the hearing closed.

#### PUBLIC COMMENT

An opportunity for members of the public to directly address the Board on items of interest to the public that are within the subject matter jurisdiction of the Board, including items being considered today which have not been referred to committee, and excluding items which have been considered by a Board committee. Members of the public may address the Board for up to three minutes. The President or the Board may limit the total testimony to 30 minutes.

The privilege of the floor was granted to the following persons:

Donna Davis, animal experimentation at the Presidio;  
Leboriae Smoore, fines for not wearing seat belts;  
Jim Lewis, supporting taxicab protective shields;  
Tom Clune, welcome on behalf of the Irish Cultural Center Board of Directors;  
Mark Krueger, taxi safety legislation;  
Wayne Scheffer, election task force proposals;  
Dan Moriarty, opposed to taxicab shields;  
Alex Pourshayegan, opposed to taxicab shields;  
Brad Newsham, opposed to taxicab shields;  
Edward Cohen, supports local Presidio hearings;  
Renee Schaible, favors taxicab shields.

There being no one else present wishing to speak, the President declared the public comment portion of the meeting closed.

#### FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures were introduced at a prior meeting of the Board with action requested at this meeting. Any Supervisor may require these measures to go to committee unless a motion to suspend the rules is adopted by eight votes (or a unanimous vote if only six or seven members are present). An "aye" vote is (a) a vote in favor of suspending the rule requiring reference to committee, and (b) a vote in favor of adoption of the measures. Eight votes (or a unanimous vote if only six or seven members are present) is required.

#### Appointment of President Pro Tempore

At the request of the President, Supervisor Hallinan assumed the Chair so the President could participate in the discussion from the floor.

#### Severed From For Adoption Without Committee Reference Calendar

Supervisor Bierman requested that the following measure be severed from the For Adoption Without Committee Reference Calendar and considered separately.

Referred to Committee

[Calling for Local Congressional Hearings]

Resolution urging the Mayor to urge all of the Committees and Sub-Committees of the United States Senate and the House of Representatives through which Presidio Trust Bill, HR 1296 and S594, will pass to schedule their hearings on this legislation here in the San Francisco Bay Area and in such a way that the largest possible number of concerned citizens will be able to provide legislation. (Supervisor Kennedy)

File 013-95-018, Resolution No.

(June 5, 1995 - Introduced in Board for consideration on June 12, 1995.)

At the request of Supervisor Kaufman, referred to Economic Vitality and Social Policy Committee.

Severed From For Adoption Without Committee Reference Calendar

Supervisor Kaufman requested that the following measure be severed from the For Adoption Without Committee Reference Calendar and considered separately.

Referred to Committee

[Animal Experimentation in Presidio National Park]

Resolution urging the Mayor to call upon the National Park Service, the Golden Gate National Recreation Area and the Presidio National Park to categorically reject and prohibit animal experimentation as an activity that would ever be permitted at the Letterman Army Institute for Research (Letterman Site) or anywhere within the Presidio National Park. (Supervisor Kennedy)

File 066-95-001, Resolution No.

(June 5, 1995 - Introduced in Board for consideration on June 12, 1995.)

At the request of Supervisor Kaufman, referred to Economic Vitality and Social Policy Committee.

Severed From For Adoption Without Committee Reference Calendar

Supervisor Shelley requested that the following measure be severed from the For Adoption Without Committee Reference Calendar and considered separately.

Consideration Continued as Amended

[Safety Partitions in Taxi Cabs]

Resolution urging the Mayor to urge the Chief of Police to reconsider regulations regarding the final implementation of the 50 per cent minimum compliance for installation of retractable safety partitions in taxi cabs pursuant to Section 1147.2 of the Police Code. (Supervisors Leal, Kaufman, Alioto)

File 121-95-003, Resolution No.

(June 5, 1995 - Introduced in Board for consideration on June 12, 1995.)

Supervisor Shelley, seconded by Supervisor Bierman, moved an amendment of the whole as follows: Page 2, line 9, after the word "level", add: "and, WHEREAS, It is already required by ordinance that a retractable safety partition shall be made available to any driver who requests one in his or her taxicab, and no retaliation or discriminatory action shall be taken against any driver who requests a retractable safety partition; now, therefore, be it"; Page 2, line 14, after the word "until", delete "August 15, 1995 to allow" and after the word "Supervisors", delete "to" and replace "conduct" with "conducts"; Page 2, line 16, after the word "appropriate" add the following sentence, "Meanwhile, those safety shields already installed must remain and other existing provisions within the ordinance remain in full effect."

Amendment of the whole adopted by the following vote:

Ayes: Supervisors Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Shelley, Teng - 7.

Absent: Supervisors Alioto, Ammiano, Leal, Migden - 4.

Supervisor Kennedy, seconded by Supervisor Teng, moved to continue consideration with pending amendments to June 19, 1995.

Motion to continue adopted by the following vote:

Ayes: Supervisors Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Shelley, Teng - 7.

Absent: Supervisors Alioto, Ammiano, Leal, Migden - 4.



The Board thereupon resumed its consideration of the following items on the For Adoption Without Committee Reference Calendar.

For Adoption Without Committee Reference Calendar

Adopted

[Opposing Eliminating Affirmative Action Programs]  
Resolution establishing the policy of the City and County of San Francisco to oppose Governor Wilson's Executive Order eliminating certain Affirmative Action Programs. (Supervisors Teng, Alioto, Ammiano, Bierman, Kennedy, Shelley)

File 012-95-038, Resolution No. 484-95

(June 5, 1995 - Introduced in Board for consideration on June 12, 1995.)

Adopted.

[Human Rights Commission Contract]  
Resolution authorizing the Human Rights Commission to enter into a contract with the Orange County Transportation Authority, Orange County, California, to provide assistance in the development of a program to assist minority and women owned businesses, and further authorizing the Human Rights Commission to accept and expend funds received pursuant to that contract. (Supervisors Shelley, Bierman, Alioto)

File 172-95-023, Resolution No. 482-95

(June 5, 1995 - Introduced in Board for consideration on June 12, 1995.)

Adopted.

The foregoing items on the For Adoption Without Committee Reference Calendar were adopted by the following vote:

Ayes: Supervisors Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Shelley, Teng - 7.

Absent: Supervisors Alioto, Ammiano, Leal, Migden - 4.

IMMEDIATE ADOPTION CALENDAR

These measures are being introduced at this meeting. A unanimous vote is required for adoption today. Any Supervisor may require any of these measures to go to committee.

[Leaves of Absence]  
Resolution granting leaves of absence to various city and county officers with permission to leave the state. (Clerk of the Board)

File 1-95-23, Resolution No. 458-95

Adopted.

(Michael S. Strunsky, Member, Airports Commission, June 15 - 23.)

The foregoing item on the Immediate Adoption Calendar was adopted by the following vote:

Ayes: Supervisors Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Shelley, Teng - 7.

Absent: Supervisors Alioto, Ammiano, Leal, Migden - 4.

IMPERATIVE CALENDAR

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board adopted the following three motions. A unanimous vote is required for the resolution(s).

Adopted

[Serious Injury Finding]

Motion that the Board finds by roll call vote that, with respect to the metal detectors resolution, "the need to take action is so imperative as to threaten serious injury to the public interest if action is deferred to a later meeting."

Supervisor Kennedy, seconded by Supervisor Teng, moved adoption.

Adopted by the following vote:

Ayes: Supervisors Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Shelley, Teng - 7.

Absent: Supervisors Alioto, Ammiano, Leal, Migden - 4.

Adopted

[Purely Commendatory Finding]

Motion that the Board finds by roll call vote that with respect to other than the metal detector resolution, the resolutions being considered at this time are purely commendatory.

Supervisor Kennedy, seconded by Supervisor Teng, moved adoption.

Adopted by the following vote:

Ayes: Supervisors Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Shelley, Teng - 7.

Absent: Supervisors Alioto, Ammiano, Leal, Migden - 4.

Adopted

[Brown Act Finding]

Motion that the Board finds by roll call vote that for the resolutions being considered at this time there is a need to take immediate action and the need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

Supervisor Kennedy, seconded by Supervisor Teng, moved adoption.

Adopted by the following vote:

Ayes: Supervisors Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Shelley, Teng - 7.

Absent: Supervisors Alioto, Ammiano, Leal, Migden - 4.

[Imperative Resolutions, if any]

Adopted

[Contract Indemnification]

Resolution authorizing the City and County of San Francisco, acting through the appropriate city officials, to enter into an agreement with Garrett Metal Detectors for the rental of metal detectors to provide security during the United Nations 50th Anniversary Celebration.

File 207-95-009, Resolution No. 471-95

Supervisor Shelley presented for immediate adoption.

Resolution adopted by the following vote:

Ayes: Supervisors Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Shelley, Teng - 7.

Absent: Supervisors Alioto, Ammiano, Leal, Migden - 4.

[Commending Zeppelin Wong]

Resolution commending Zeppelin Wong for his contributions to the City and proclaiming June 16, 1995 Zeppelin Wong Day.

File 006-95-058, Resolution No. 460-95

Supervisors Teng, Bierman, Alioto, Kennedy, Hallinan, Kaufman, Hsieh, Shelley presented for immediate adoption.

Resolution adopted by the following vote:

Ayes: Supervisors Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Shelley, Teng - 7.

Absent: Supervisors Alioto, Ammiano, Leal, Migden - 4.

[Commending KOFY TV-20]

Resolution commending KOFY TV-20 for broadcasting the 25th Annual Lesbian/Gay/ Bisexual/Transgender Freedom Day Parade on Sunday, June 18, 1995.

File 006-95-059, Resolution No. 461-95

Supervisors Alioto, Ammiano, Teng, Bierman, Leal, Hsieh, Kaufman presented for immediate adoption.

Resolution adopted by the following vote:

Ayes: Supervisors Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Shelley, Teng - 7.

Absent: Supervisors Alioto, Ammiano, Leal, Migden - 4.

[Silver Anniversary Japanese Youth Council]

Resolution commending Japanese Community Youth Council and Jeffrey K. Mori.

File 006-95-060, Resolution No. 462-95

Supervisor Shelley presented for immediate adoption.

Resolution adopted by the following vote:

Ayes: Supervisors Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Shelley, Teng - 7.

Absent: Supervisors Alioto, Ammiano, Leal, Migden - 4.

#### OFF-CALENDAR LEGISLATION

#### ROLL CALL FOR INTRODUCTION OF MEASURES AND COMMUNICATIONS

Referred to Committee

[MOU, Arbitrator's Award, Deputy Sheriffs Assn.]

Ordinance implementing the provisions of the stipulated Arbitrator's Award of a Memorandum of Understanding between the Deputy Sheriffs Association and the City and County of San Francisco. Supervisor Shelley presented. Referred to Government Efficiency/Labor Committee.

File 093-95-030.

[MOU Implementing Provisions, Teamsters Local 350]

Ordinance implementing the provisions of the Memorandum of Understanding between the Teamsters Local 350 and the City and County of San Francisco awarded by the arbitration panel. Supervisor Shelley presented. Referred to Government Efficiency/Labor Committee.

File 093-95-032.

[MOU Implementing Provisions, Teamsters Local 856]

Ordinance implementing the provisions of the Memorandum of Understanding between the Teamsters Local 856 and the City and County of San Francisco. Supervisor Shelley presented. Referred to Government Efficiency/Labor Committee.

File 093-95-033.

[Amend MOU, American Physicians/Dentists]

Ordinance implementing the provisions of the amendment to the Memorandum of Understanding between the Union of American Physicians and Dentists and the City and County of San Francisco. Supervisor Shelley presented. Referred to Government Efficiency/Labor Committee.

File 093-95-034.

[MOU, Implementing Provisions, Local 21]

Ordinance implementing the provisions of an amendment to the Memorandum of Understanding between the International Federation of Professional and Technical Engineers, Local 21, AFL-CIO and the City and County of San Francisco. Supervisor Shelley presented. Referred to Government Efficiency/Labor Committee.

File 093-95-035.

[Dispute Resolution Fund]

Ordinance repealing Section 10.117-63(f), empowering the Mayor's Office of Community Development to administer the Dispute Resolution Fund, and amending the Administrative Code by adding a new Section 10.117-63(f) to empower the San Francisco Adult Probation Department to administer the Dispute Resolution Fund -- Criminal Disputes and the Mayor's Office of Community Development to administer the Dispute Resolution Fund -- Civil Disputes. Supervisor Shelley presented. Referred to Budget Committee.

File 097-95-035.

[Forming Assessment District, Levying Assessments]

Draft Ordinance amending Part III of the San Francisco Municipal Code by adding a new Article thereto forming Park and Recreation Improvement District for Enhancements ("PRIDE"), a benefit assessment district to fund maintenance of park property; ordering the improvements; and levying an assessment to fund the improvements. Supervisors Hsieh, Bierman, Leal, Teng, Alioto presented. Referred to Budget Committee with request it be considered at the June 14, 1995 meeting.

File 127-95-009.

Referred to Board

[Sunshine Ordinance Day]

Resolution proclaiming June 21, 1995 as Sunshine Ordinance Day. Supervisor Shelley presented. Referred to Board for Adoption Without Committee Reference Calendar June 19, 1995.

File 004-95-015.

[Rainforest Action's Tenth Anniversary]

Resolution commending the Rainforest Action Network for ten years of unique and effective accomplishments in preserving the rainforests of the world for future generations, and declares June 9, 1995 "Rainforest Action Day". Supervisors Hallinan, Alioto, Teng, Bierman, Shelley presented. Referred to Board for Adoption Without Committee Reference Calendar June 19, 1995.

File 006-95-061.

Referred to Committee

[Proposition 184, "Three Strikes"]

Resolution urging the San Francisco District Attorney to exercise his prosecutorial discretion under California Penal Code Sections 1170.12 and 1385 to move or dismiss or strike the pleading of prior felony convictions in cases where a "Strike" is not a violent felony. Supervisor Hallinan presented. Referred to Government Efficiency/Labor Committee with request it be considered at its June 27, 1995 meeting.

File 012-95-037.01.

Referred to Board

[Supporting Senate Bill 933-Handguns]

Resolution supporting Senate Bill 933, which bans the manufacture, importation, sale, and possession of non-sporting handguns, otherwise known as the Saturday Night Special. Supervisor Shelley presented. Referred to Board for Adoption Without Committee Reference Calendar June 19, 1995.

File 012-95-040.

Referred to Committee

[Retain Public Health Nurses]

Resolution urging the Mayor to urge the Health Department to not eliminate Public Health Nurses, Civil Service Class 2830 in the proposed 1995-96 budget and refrain from any attempts to merge the classification of Registered Nurses into Public Health Nurses. Supervisors Hallinan, Alioto, Kennedy Bierman presented. Referred to Health/Public Safety/Environment Committee with request it be considered at its June 15, 1995 meeting.

File 100-95-003.01.

Referred to Board

[Electric Vehicle Charging Stations]

Resolution urging the Mayor to urge the Parking and Traffic Commission and other relevant authorities to establish electric vehicle charging stations in city-owned parking facilities including facilities at San Francisco International Airport and encourage large private parking owners to similarly equip their facilities for this new, less polluting means of transportation and encourage the Planning Department, Redevelopment Authority, and other city agencies to develop electric charging stations for new projects. Supervisor Hallinan presented. Referred to Board for Adoption Without Committee Reference Calendar June 19, 1995.

File 171-95-004.

Referred to Board

[Mandatory Direct Rent Payment Program]

Resolution urging the Mayor to urge the Social Services Commission not to implement the Mandatory Direct Rent Payment Program at this time and not to approve the Mandatory Direct Rent Payment Program contract until they are satisfied that an adequate number of decent rooms is available for use by clients under this program, and until other serious and pertinent issues concerning this program are resolved. Returned disapproved by Mayor. Consideration continued to June 19, 1995.

File 107-95-1.1.

Referred to Committee

[Affinity Phone Service]

Resolution urging the Chief Administrative Officer and the Controller to examine proposals for the creation of an affinity telephone service for the City of San Francisco and seeking input from appropriate departments in its formulation. Supervisor Migden presented. Referred to Economic Vitality/Social Policy Committee.

File 186-95-007.

[Intention to Form Assessment District]

Resolution declaring the intention to form the Park and Recreation Improvement District for Enhancements ("PRIDE"), a benefit assessment district to fund maintenance of park property; approving the Engineer's Report regarding the district; describing the maintenance and servicing to be funded; and giving notice of hearings on the question of the formation of the district and the levy of an assessment. Supervisors Hsieh, Bierman, Leal, Teng, Alioto presented. Referred to Budget Committee with request it be considered at the June 14, 1995 meeting.

File 231-95-001.01.

Requests for Hearings:

[Grand Jury Report-Planned Emergency Radio System]

Hearing to consider report issued by the 1994-95 Civil Grand Jury entitled "Recommendations of the 1994-95 Civil Grand Jury for Improvements in the Sole Source Approval Process and the Planned Emergency Radio System" and the findings concerning violations of Charter Section 7.100. Supervisor Alioto presented. Referred to Health/Public Safety/Environment Committee

File 039-95-005.

[Cost of Installation of Public Toilets]

Hearing to consider the cost to the City of the installation of public toilets when the manufacturer is limited to \$20,000 per toilet for installation. Supervisors Kaufman, Bierman presented. Referred to Budget Committee.

File 200-95-002.

Motions:

Referred to Board

[Needle Exchange Emergency]

Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program. Supervisors Alioto, Leal, Bierman, Shelley, Migden presented. Referred to Board for Adoption Without Committee Reference Calendar June 19, 1995.

File 30-95-001.12.

Referred to Committee

[Management Audit Schedule]

Motion amending Rules of Order, of the Board of Supervisors, establishing policy of conducting management audits of city departments and the Redevelopment Agency to ensure prudent and efficient use of city resources, and to require the Budget Analyst to annually submit a schedule of management audits of City and County departments to the Board of Supervisors, and requiring the Board of Supervisors to approve by motion the schedule of management audits, by adding Rule 5.9. Supervisor Kaufman presented. Referred to Rules Committee.

File 165-95-005.

[Management Audit-Transportation Authority]

Motion requesting the Budget Analyst of the Board of Supervisors to include the Transportation Authority in the scheduling of management audits that is required by Rule 5.9, Rules of Order, of the Board of Supervisors. Supervisor Kaufman presented. Referred to Rules Committee.

File 165-95-006.

Referred to Board

[California Winter Storms of 1995]

Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the California Winter Storms of 1995. Supervisors Shelley, Teng presented. Referred to Board for Adoption Without Committee Reference Calendar June 19, 1995.

Introduced by the President at the Request of Departments

Ordinances Referred to Committee

File 045-95-021. [Settlement of Litigation, Morgan/Pearsall] Ordinance authorizing settlement of litigation of Dianne Morgan and Jerry Pearsall against the City and County of San Francisco by payment of \$10,000. (Superior Court No. 956-583). (City Attorney) Referred to Government Efficiency/Labor Committee.

File 121-95-004. [Amending Juvenile Curfew Ordinance] Ordinance amending Police Code by amending Section 539 to change the hours of juvenile curfew, the applicable age and exceptions, and the enforcement procedure, and to create a central facility for the detention of curfew violators, establish procedures to be followed by the staff of the central facility, and create an Oversight Committee. (Mayor) Referred to Health/Public Safety/Environment Committee.

Resolutions Referred to Committee

File 007-95-004. [Discontinuance, Coach Line 8-Market, Muni Railway] Resolution approving abandonment of service on Municipal Railway Trolley Coach Line 8-Market in conjunction with inauguration of F-Market Streetcar service; companion measure to File 7-95-4.1. (Public Transportation Commission) Scheduled for public hearing before Board on June 19, 1995, at 3:00 p.m.

File 007-95-004.01. [Discontinuance, Coach Line 8-Market, Muni Railway] Resolution disapproving abandonment of services on Municipal Railway Trolley Coach Line 8-Market in conjunction with inauguration of F-Market Streetcar service; companion measure to File 7-95-4. (Public Transportation Commission) Scheduled for public hearing before Board on June 19, 1995, at 3:00 p.m.

File 12-95-39. [Supporting Senate Bill 877] Resolution supporting Senate Bill 877, a bill authorizing the Bay Area electorate to impose up to 10 cent per gallon tax on motor fuel sold in Bay Area counties. (Public Transportation Commission) Referred to Government Efficiency/Labor Committee.

File 094-95-001. [Disaster Relief Funds] Resolution authorizing the General Manager of the Public Utilities Commission and other designated Public Utilities Commission officials to execute and file, on behalf of the City and County of San Francisco, Public Utilities Commission, an application for Federal and State financial assistance under the Robert T. Stafford Federal Disaster Relief and Emergency Assistance Act for funds as a result of the 1995 late winter storms. (Public Utilities Commission) Referred to Government Efficiency/Labor Committee.

File 170-94-001.01. [General Obligation Refunding Bonds] Resolution affirming and renewing the authorization for the issuance from time to time in one or more series of not to exceed \$600,000,000 aggregate principal amount of City and County of San Francisco General Obligation Bonds contained in Resolution No. 93-94. (Chief Administrative Officer) Referred to Budget Committee.

File 172-95-024. [Joint Powers Agreement-Special Districts] Resolution authorizing the Mayor to execute a joint exercise of powers agreement for sewer services between the City and County of San Francisco, the City of Brisbane, and the Guadalupe Valley Municipal Improvement District. (Department of Public Works) Referred to Government Efficiency/Labor Committee.

File 172-95-025. [Joint Powers Agreement-Special Districts] Resolution authorizing the Mayor to execute a joint exercise of powers agreement for sewer services between the City and County of San Francisco and the North San Mateo County Sanitation District. (Department of Public Works) Referred to Government Efficiency/Labor Committee.

File 172-95-026. [Contract, Paramedic/Ambulance Billing Services] Resolution approving the contract between the City and County of San Francisco, Department of Public Health, and Allied Information and Services Corporation, to provide paramedic and ambulance billing and collection services. (Department of Public Health) Referred to Government Efficiency/Labor Committee.

#### Requests Granted

There being no objection, the Board directed the Clerk to comply with the following requests:

By Supervisor Kennedy, that letter be sent to Director, Parking and Traffic as to why the two hour parking sign in Park Merced Area E was removed from the east side of Chumasero Drive across the street from #50 Chumasero Drive, and if the removal of the sign is permanent, will the tenants who purchased the 1996 tags be reimbursed.

By Supervisor Alioto, that City Attorney draft legislation repealing Section 15.7 of the Administrative Code, declaring it to be Health Department Policy to inform residents of neighborhood services being offered and accommodating neighborhood concerns.

By Supervisor Hallinan, that letter from the Government Efficiency and Labor Committee to the Port Commission requesting reconsideration of their decision not to proceed with the pursuit of \$8 million in federal funds allocated for the purpose of accommodating double-stack trains and handling container traffic between the Port of San Francisco and the East Bay.

By Supervisor Hsieh, that letter be sent to the Director, Parking and Traffic concerning the possibility of placing a two-way stop sign on Taylor Street at Broadway.

#### Motions Adopted

Motion that the Board adjourn its meeting this date out of respect to the memory of the following deceased:

Kathleen Lammers (Supervisor Shelley)  
Helen Mitchell (Supervisor Kennedy)  
Armond Booth (Supervisor Kennedy)  
Aaron Williams (By the entire Board)  
Molly Lawrence (Supervisor Leal)  
Elsie Clarick Rubin (Supervisor Leal)

File 2-95-23

Unanimously adopted by a rising vote.

#### ADJOURNMENT

There being no further business, the Board at the hour of 9:30 p.m. adjourned.

Jean Lum, Acting Clerk

N.B. This Journal of Proceedings sets forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on August 14, 1995.

Monday, June 12, 1995

I, John L. Taylor, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Journal of Proceedings of said Board on the date stated and was approved as recited.

John L. Taylor  
Clerk of the Board of Supervisors



Monday, June 19, 1995  
Wednesday, June 21, 1995

# **Journal of Proceedings**

*The Minutes of the*

## **Board of Supervisors**

City and County of San Francisco

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JOURNAL OF PROCEEDINGS

BOARD OF SUPERVISORS

Monday, June 19, 1995 - 2:00 p.m.

The Board of Supervisors of the City and County of San Francisco met in regular session on the above date with President Kevin Shelley presiding.

CALLING THE ROLL

The meeting was called to order at 2:10 p.m. On call of the roll, the following Supervisors were noted present:

Supervisors Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Leal, Migden, Shelley, Teng - 9.

Noted absent at first roll call:

Supervisors Alioto, Kennedy - 2.

Quorum present.

Supervisor Alioto was noted present at 2:11 p.m.

Supervisor Kennedy was noted present at 2:14 p.m.

CONSENT CALENDAR

Recommendations of Budget Committee

Finally Passed

[Appropriation, Department of Public Works]

Ordinance appropriating and rescinding \$4,494,000, Department of Public Works, 1990 Earthquake Safety Bonds, to various Library Capital Improvement Projects (renovation, testing, inspection and evaluation of various branch libraries) for fiscal year 1994-95; placing \$980,400 on reserve. (Controller)

File 101-94-110, Ordinance No. 208-95

(Fiscal Impact.)

Finally passed.

[Appropriation, Department of Human Resources]

Ordinance appropriating \$575,060, Department of Human Resources, from the General Fund Reserve and rescinding \$1,008,919 from salaries in the Fire Department to appropriate \$1,583,979 to the Department of Human Resources for Workers Compensation claims for fiscal year 1994-95. (Controller)

File 101-94-111, Ordinance No. 209-95

(Fiscal Impact.)

Finally passed.

[Unreinforced Mason Building (UMB) Appeals Board]

Ordinance amending Building Code, to establish an Unreinforced Masonry Building (UMB) Appeals Board and establishing fees therefor. (Supervisor Hsieh)

File 114-94-1, Ordinance No. 210-95

(Fiscal Impact.)

(Amends Sections 203(i), 204(a), 212(d), 333.5, 1405; Adds Section 1408.)

Finally passed.

[Residential Rent Stabilization and Arbitration Fee]  
Ordinance amending Administrative Code, to exempt certain dwelling units solely owned by a non-profit public benefit corporation, to exempt certain residential care of adult care or Adult Day Health Care facilities for the elderly, and to delete the exemption for owner-occupied buildings containing four dwelling units or less from the Residential Rent, Stabilization and Arbitration Fee. (Residential Rent Stabilization and Arbitration Board)

File 97-95-32, Ordinance No. 211-95

(Amends Section 37A.1.)

Finally passed.

[Revolving Funds, Board of Supervisors]  
Ordinance amending Administrative Code, to increase the amount held in the Board of Supervisors Revolving Fund from \$500 to \$1000. (Acting Clerk of the Board)

File 97-95-33, Ordinance No. 212-95

(Amends Section 10.169-3.)

Finally passed.

Recommendations of Government Efficiency and Labor Committee

Passed for Second Reading

[Settlement of Litigation, Homer Bolton]  
Ordinance authorizing settlement of litigation of Homer Bolton against the City and County, Michael Hennessey and Sharon Heath, by payment of \$72,500. (City Attorney)

File 45-95-20, Ordinance No.

(U.S. District Court No. C94-00620WHO.)

Passed for second reading.

Adopted

[Prop J Contract, Steam Delivery and Purchase]  
Resolution approving the Controller's certification that steam delivery and purchase can be practically performed by private contractor for lower cost than similar work services performed by City and County employees. (Department of Public Works)

File 25-95-15, Resolution No. 496-95

Adopted.

[Settlement of Claim, Frank Horton]  
Resolution approving the settlement of the unlitigated claim of Frank Horton by payment of \$10,000. (City Attorney)

File 48-95-13, Resolution No. 497-95

Adopted.

[Settlement of Claim, Hilde Schlottman]  
Resolution approving the settlement of the unlitigated claim of Hilde Schlottman in the sum of \$25,000.00 and waive \$16,601.03 in City and County and University of California-San Francisco medical liens. (City Attorney)

File 48-95-14, Resolution No. 498-95

Adopted.

[Settlement of Claim, Third Baptist Church]

Resolution approving the settlement of the unlitigated claim of Third Baptist Church in the sum of \$7,487.00. (City Attorney)

File 48-95-15, Resolution No. 499-95

Adopted.

[Settlement of Claim, Robert Milici]

Resolution approving the settlement of the unlitigated claim of Robert Milici in the sum of \$17,000 and a waiver of San Francisco General Hospital lien of \$3,259.37. (City Attorney)

File 48-95-16, Resolution No. 500-95

Adopted.

[Lease of Property at 2450 San Bruno Avenue]

Resolution authorizing the lease of real property at 2450 San Bruno Avenue for the Portola Branch Library. (Real Estate Department)

File 64-95-4, Resolution No. 503-95

Adopted.

[State Grant - Automobile Insurance Fraud]

Resolution authorizing the District Attorney to retroactively apply for, accept and expend funds in the amount of \$324,000 made available through the California Department of Insurance for a project entitled "The Investigation and Prosecution of Automobile Insurance Fraud" for the period of July 1, 1994 through June 30, 1995. (District Attorney)

File 138-95-1, Resolution No. 486-95

Adopted.

[State Grant - Workers Compensation Fraud]

Resolution authorizing the District Attorney to retroactively apply for, accept and expend funds in the amount of \$318,507 made available through the California Department of Insurance for a project entitled "The Investigation and Prosecution of Workers Compensation Fraud" for the period July 1, 1994 through June 30, 1995. (District Attorney)

File 138-95-2, Resolution No. 487-95

Adopted.

[Grant, Urban Center for Applied Research Project]

Resolution authorizing the Department of Public Health, AIDS Office, to apply for, accept and expend retroactively a grant of \$200,000, which includes indirect costs in the amount of \$17,112, based on twenty percent of salaries, from the Department of Health and Human Services, Centers for Disease Control, for the San Francisco as an Urban Center for Applied Research Project; providing for ratification of action previously taken. (Supervisor Alioto)

File 146-95-7, Resolution No. 508-95

Adopted.

Recommendation of Rules Committee

Finally Passed

[On-Street Vehicle Sales]

Ordinance amending Police Code, to remove zoning restriction from the prohibition of parking of vehicles for purpose of displaying such vehicles for sale. (Supervisors Shelley, Kaufman, Teng, Bierman)

File 121-95-1, Ordinance No. 213-95

(Amends Section 710.2.)

Finally passed.

The foregoing items on the Consent Calendar were acted upon by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

REGULAR CALENDAR

UNFINISHED BUSINESS

Reconsideration by the Board

From the Clerk

Ordinance Reaffirmed

[Campaign Finance Reform]

Ordinance amending Administrative Code, related to Campaign Finance Reform. (Supervisors Hallinan, Alioto, Ammiano, Bierman)

File 97-95-3, Ordinance No. 89-95

(Amends Sections 16.501, 16.502, 16.503, 16.505, 16.508, 16.509 and 16.509; Adds Sections 16.510-1 through 16.510-6.)

(Charter Section 9.108 provides that unless, after the ordinance has been reconsidered, it is repealed in its entirety, the Board shall submit the ordinance to the vote of the electors at the next general election or a special election called for that purpose. A motion to reaffirm the ordinance would be appropriate.)

Supervisor Migden, seconded by Supervisor Leal, moved to reaffirm the ordinance.

Motion to reaffirm adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

Tabled

[Repealing Campaign Finance Reform Ordinance]

Ordinance repealing Ordinance 89-95, the Campaign Contribution/Expenditure Limits Ordinance, amending Administrative Code, related to Campaign Finance Reform. (Acting Clerk of the Board)

File 97-95-3.1, Ordinance No.

(Amends Sections 16.501, 16.502, 16.503, 16.505, 16.508, 16.509 and 16.509; Adds Sections 16.510-1 through 16.510-6.)

Supervisor Migden, seconded by Supervisor Leal, moved to table.

Tabled by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

Adopted

[Referendum Submission]

Motion ordering submitted Ordinance 89-95 (Campaign Finance Reform Ordinance) for approval or disapproval at the Municipal Election to be held on November 7, 1995; companion measure to Files 97-95-3 and 97-95-3.1. (Acting Clerk of the Board)

File 60-95-4

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

Consideration of Mayor's Disapproval

Adopted

Mayor's Veto Overridden

[Mandatory Direct Rent Payment Program]

Resolution urging the Mayor to urge the Social Services Commission not to implement the Mandatory Direct Rent Payment Program at this time and not to approve the Mandatory Direct Rent Payment Program contract until they are satisfied that an adequate number of decent rooms is available for use by clients under this program, and until other serious and pertinent issues concerning this program are resolved. (Supervisors Hallinan, Teng, Bierman)

File 107-95-1.1, Resolution No. 522-95

(May 30, 1995 - Adopted.)

(June 9, 1995 - Returned to Board by Mayor, disapproved.)

(June 12, 1995 - Consideration continued to June 19, 1995.)

The Clerk called the roll on the question, "Shall the resolution be adopted notwithstanding the Mayor's veto?".

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Leal, Migden, Shelley, Teng - 8.

Noes: Supervisors Hsieh, Kaufman, Kennedy - 3.

Recommendation of Budget Committee

Passed for Second Reading

[Criminal Justice Administration Fee]

Ordinance amending Administrative Code, establishing and allowing the City and County to collect a booking fee for persons placed on probation. (Adult Probation Department)

File 97-95-30, Ordinance No.

(Adds Section 8.38.)

(June 12, 1995 - Consideration continued to June 19, 1995.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 9.

Noes: Supervisors Ammiano, Bierman - 2.

Recommendation of Budget and Health, Public Safety  
and Environment Committees

Consideration Continued

[General Assistance Property Levels]

Ordinance amending Administrative Code, to increase allowable personal property under the General Assistance Program. (Supervisors Alioto, Bierman, Hallinan, Teng)

File 97-94-41, Ordinance No.

(Fiscal Impact.)

(Amends Section 20.56.10.)

(June 12, 1995 - Consideration continued to June 19, 1995.)

Supervisor Hsieh, seconded by Supervisor Kaufman, moved to continue consideration to August 21, 1995.

Motion to continue adopted by the following vote:

Ayes: Supervisors Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley - 7.

Noes: Supervisors Alioto, Ammiano, Bierman, Teng - 4.

In connection with the above item, Supervisor Teng requested to be added as co-sponsor.

Recommendation of Economic Vitality and Social Policy Committee

Rereferred to Committee

[Public Housing]

Resolution urging the Housing Authority to adopt a one-for-one on site replacement of all public housing demolished or revitalized in the City and County. (Supervisor Kennedy)

File 206-95-4, Resolution No.

(June 12, 1995 - Consideration continued to June 19, 1995.)

Supervisor Kennedy, seconded by Supervisor Migden, moved to rerefer to Committee.

Motion to rerefer to Committee adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

Recommendation of Government Efficiency and Labor Committee

Rereferred to Committee

[Membership Criteria for Retirement System]

Ordinance amending Administrative Code, regarding Membership Criteria for Retirement System. (Department of Human Resources)

File 97-95-15, Ordinance No.

(Amends Section 16.42;  
Deletes Section 16.43.)

(June 12, 1995 - Consideration continued to June 19, 1995.)

Supervisor Hallinan, seconded by Supervisor Migden, moved to rerefer to Committee.

Motion to rerefer to Committee adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

Recommendation of Housing and Land Use Committee

Adopted as Amended

[New State Building, 455 Golden Gate Avenue]

((Resolution requesting that the Joint Powers Authority select Alternative 2 as modified, for the Civic Center Complex, supporting design modification of the building, requesting additional mitigation measures and indicating to the Authority the opposition of the Board of Supervisors to any encroachment on or over Golden Gate Avenue.)) (Supervisors Bierman, Teng)

Resolution requesting that the Joint Powers Authority address the concerns of the community for the Civic Center Complex, supporting modification of the design of the building, requesting consideration of additional mitigation measures and indicating to the Authority the grave concern of the Board of Supervisors to any encroachment on or over Golden Gate Avenue.

File 12-95-31.1, Resolution No. 523-95

(June 12, 1995 - Consideration continued to June 19, 1995.)

Supervisor Bierman, seconded by Supervisor Teng, moved the following amendments:

Amend page 2, line 7 by changing "southern" to "northern";

Amend page 4, lines 5 through 10 by deleting the entire "whereas" clause;



Amend page 4, lines 22 through 23 by deleting entire "whereas" clause;

Amend page 7, lines 5 and 6 by deleting the "resolved" clause;

Amend page 8, lines 6 and 7, after "Plaza" by inserting "are a concern" and delete the remainder of the sentence;

Amend page 7, lines 7 and 8 to read: "Resolved, That the State attempt to lower the height of the proposed building";

Supervisor Hallinan, seconded by Supervisor Bierman, moved the following amendment:

Amend title, page 1, lines 2 and 3 by replacing "select Alternative 2 as modified," with "address the concerns of the community" and inserting "consideration of" before "additional mitigation";

Supervisor Bierman, seconded by Supervisor Kaufman, moved the following amendments:

Amend title, line 3, by replacing "opposition" and inserting "grave concern";

Amend Page 7, line 24, by deleting "is strongly opposed to" and insert "has grave concern about".

Supervisor Kaufman, seconded by Supervisor Bierman, moved the following amendment:

Amend Page 7, line 10, by deleting "a modified Alternative 2, which in the future could shift some space to 525 Golden Gate Avenue.

The roll was called on all the above amendments and it was adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

Adopted as amended by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

In connection with the above item, Supervisor Teng requested to be added as co-sponsor.

#### Appointment of President Pro Tempore

At the request of the President, Supervisor Kennedy assumed the Chair.

#### NEW BUSINESS

#### Recommendations of Budget Committee

#### Passed for Second Reading

[Interim Annual Appropriation Ordinance]

Interim Annual Appropriation Ordinance for fiscal year 1995-96.

File 101-95-1, Ordinance No.

(Fiscal Impact.)

(An interim ordinance appropriating all estimated receipts and all estimated expenditures for the City and County of San Francisco for the fiscal year ending June 30, 1996.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

[Interim Annual Salary Ordinance]

Interim Annual Salary Ordinance for fiscal year 1995-96.

File 102-95-1, Ordinance No.

(Fiscal Impact.)

(An interim ordinance enumerating positions in the Annual Budget and Appropriation Ordinance for the fiscal year ending June 30, 1996, continuing, creating or establishing these positions; enumerating and including therein all positions created by Charter or State law for which compensations are paid from City and County funds and appropriated in the Annual Appropriation Ordinance; authorizing appointments or continuation of appointments thereto; specifying and fixing the compensations and work schedules thereof; and authorizing appointments to temporary positions and fixing compensations therefor.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

Adopted

[General Obligation Bonds]

Resolution determining and declaring the public interest and necessity demand the acquisition, construction or reconstruction by the City and County of San Francisco of the following municipal improvement, to wit: acquisition, construction and/or reconstruction of certain improvements to City Hall, including life safety improvements, disabled access improvement, electrical power and system improvements, building system and communication improvements, historic preservation improvements, functional space conversion improvements, childcare improvements and waterproofing improvements, and regulated acquisition, construction and reconstruction necessary for the foregoing purposes, that the estimated cost of \$63,590,000 for said municipal improvements is and will be too great to be paid out of the ordinary annual income and revenue of said City and County will require the incurring of a bonded indebtedness. (Supervisor Hsieh)

File 170-95-6, Resolution No. 511-95

(Fiscal Impact.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

[General Obligation Bonds]

Resolution determining and declaring the public interest and necessity demand the acquisition, construction or reconstruction by the City and County of San Francisco of the following Municipal Improvement, to wit: acquisition, construction and/or reconstruction of certain improvements to underground storage tanks owned by the City and County, which improvements shall include repair, removal and/or replacement of the underground storage tanks, and testing remediation of past and present storage tank sites, and regulated acquisition, construction and reconstruction for the foregoing purposes, that the estimated cost of \$44,100,000 for said municipal improvements is and will be too great to be paid out of the ordinary annual income and revenue of said City and County and will require the incurring of a bonded indebtedness. (Supervisor Hsieh)

File 170-95-7, Resolution No. 512-95

(Fiscal Impact.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

[General Obligation Bonds]

Resolution determining and declaring the public interest and necessity demand the acquisition, construction or reconstruction by the City and County of San Francisco of the following municipal improvement, to wit: acquisition, construction and/or reconstruction of certain improvements to the Steinhart Aquarium and related facilities and structures, including seismic upgrade, asbestos and lead abatement, disabled access improvements, life support system improvements, building system improvements and structural improvements, and related acquisition, construction and reconstruction necessary or convenient for the foregoing purposes, that the estimated cost of \$29,245,000 for said municipal improvements is and will be too great to be paid out of the ordinary annual income and revenue of said City and County and will require the incurring of a bonded indebtedness. (Supervisors Shelley, Kaufman)

File 170-95-8, Resolution No. 513-95

(Fiscal Impact.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

The President resumed the Chair.

[San Francisco Affinity Card]

Resolution urging the Chief Administrative Officer, the Controller and the Treasurer to examine proposals for the creation of an Affinity Card for the City of San Francisco and seeking input from appropriate departments in its formulation. (Supervisor Migden)

File 186-95-5, Resolution No. 517-95

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

[Interdepartmental Transfer of Real Property]

Resolution transferring jurisdiction of a portion of Lots 7, 8, 8A, 9 and 10, Assessor's Block 3742, from the Department of Public Works to the Port of San Francisco, for use as a public park; and adopting findings that such transfer is consistent with the City's Master Plan and Eight Priority Policies of City Planning Code Section 101.1. (Supervisor Migden)

File 199-95-1, Resolution No. 520-95

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

From Budget Committee "Without Recommendation"

Consideration Continued

(Supervisor Kaufman dissenting in Committee.)

[Occupation License Fee]

Ordinance amending Part III, Municipal Code, ("Occupation License Fee Ordinance") thereto to impose a license fee of two percent (2%) of compensation on employees earning in excess of \$150,000 for work performed or services rendered within San Francisco; setting effective date of January 1, 1996. (Supervisor Ammiano)

File 127-95-3, Ordinance No.

(Fiscal Impact.)

(Adds Article 12-E, Sections 1301 through 1318; adds Section 1026.2.)

Supervisor Ammiano, seconded by Supervisor Teng, moved to continue consideration to June 26, 1995.

Motion to continue adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

Passed for Second Reading

(Supervisor Bierman dissenting in Committee.)

[Hotel Tax Allocation]

Ordinance amending Part III, Municipal Code, to base allocations of Hotel Tax revenues on revenues received in the immediately prior fiscal year rather than on estimated revenues for the allocation year. (Supervisor Hsieh)

File 127-95-6, Ordinance No.

(Fiscal Impact.)

(Amends Section 515.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Hsieh, Kaufman, Leal, Migden, Shelley, Teng - 7.

Noes: Supervisors Ammiano, Bierman, Hallinan, Kennedy - 4.

Recommendations of Government Efficiency and Labor Committee

Passed for Second Reading

[City Seal]

Ordinance amending Administrative Code, authorizing the Clerk of the Board, upon the recommendation of the Chief Administrative Officer, to approve the use of the City seal on items proposed by the Chief Administrative Officer, and allowing items with the approved use of the City seal to be offered for sale by the City and County of San Francisco. (Supervisors Leal, Alioto)

File 97-95-5, Ordinance No.

(Adds Section 1.6-A.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

[City Store]

Ordinance amending Administrative Code, authorizing the Chief Administrative Officer or the Purchaser to establish a municipal store for the purpose of selling City surplus goods and souvenir merchandise bearing City marks, logos, emblems, symbols and designs to promote and advertise the City and County of San Francisco, offer such merchandise through direct mail catalogue programs and agreements with retailers and distributors and to ensure that departments or commissions offering goods for sale are credited with the profits from the sale of their goods. (Supervisor Leal)

File 97-95-24, Ordinance No.

(Fiscal Impact.)

(Adds Section 1.48.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

Rereferred to Committee

[Prop J Contract, Janitorial Services]

Resolution concurring with the Controller's certification that janitorial services for 25 Van Ness Avenue can be practically performed by private contractor for lower cost than similar work performed by City and County employees. (Real Estate Department)

File 25-95-4, Resolution No.

(Fiscal Impact.)

Supervisor Hallinan, seconded by Supervisor Hsieh, moved to rerefer to Committee.

Motion to rerefer to Committee adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

[Prop J Contract, Security Services, 25 Van Ness]

Resolution concurring with the Controller's certification that security services for 25 Van Ness Avenue can be practically performed by private contractor for lower cost than similar work services performed by City and County employees. (Real Estate Department)

File 25-95-5, Resolution No.

(Fiscal Impact.)

Supervisor Hallinan, seconded by Supervisor Hsieh, moved to rerefer to Committee.

Motion to rerefer to Committee adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

Appointment of President Pro Tempore

At the request of the President, Supervisor Kennedy assumed the Chair.

Adopted

[Prop J Contract, Legal Services, District Attorney]

Resolution concurring with the Controller's certification that legal process server services can be practically performed for the District Attorney, Family Support Bureau, by a private contractor for a lower cost than similar services performed by City and County employees. (District Attorney)

File 25-95-6, Resolution No. 492-95

(Fiscal Impact.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Leal - 7.

Noes: Supervisor Kennedy - 1.

Absent: Supervisors Migden, Shelley, Teng - 3.

[Prop J Contract, Airport Bus Operations]

Resolution approving the Controller's certification that shuttle bus services for San Francisco International Airport can practically be performed by private contractor at a lower cost for the fiscal year commencing July 1, 1995 than if work were performed by City and County employees. (Airport)

File 25-95-7, Resolution No. 493-95

(Fiscal Impact.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Leal - 7.

Noes: Supervisor Kennedy - 1.

Absent: Supervisors Migden, Shelley, Teng - 3.

[Prop J Contract, Dental Services]

Resolution concurring with the Controller's certification that the inpatient dental services can be practically performed for the Department of Public Health, Laguna Honda Hospital, by private contractor for a lower cost than similar work services performed by City and County employees. (Department of Public Health)

File 25-95-9, Resolution No. 494-95

(Fiscal Impact.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal - 7.

Absent: Supervisor Ammiano, Migden, Shelley, Teng - 4.

[Contracting Out City Services]

Resolution concurring with Controller's certification that convention facilities management operation and maintenance service can be practically performed at Brooks Hall, Civic Auditorium and Moscone

Center by private contractor for lower cost than similar work services performed by the City and County employees. (Chief Administrative Officer)

File 25-95-11, Resolution No. 495-95

(Fiscal Impact.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Hallinan, Hsieh, Kaufman, Leal - 6.

Noes: Supervisor Kennedy - 1.

Absent: Supervisors Ammiano, Migden, Shelley, Teng - 4.

[Employee Claims of Alex Clemens and Seema Grover]

Resolution authorizing reimbursement for cost of personal property of City and County employees damaged or stolen in the line of duty. (Government Efficiency and Labor Committee)

File 51-95-1.1, Resolution No. 501-95

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

[Lease of Property, 1540 Market Street]

Resolution authorizing the lease of real property at 1540 Market Street, Suite 260, for the Department of Public Health, retroactive to January 1, 1995. (Real Estate Department)

File 64-95-2, Resolution No. 502-95

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal - 8.

Absent: Supervisors Migden, Shelley, Teng - 3.

[SDI Coverage, 9248 Airport Facilities Services Manager]

Resolution authorizing enrollment of classification(s) 9248 in the State Disability Insurance Program. (Department of Human Resources)

File 89-95-2, Resolution No. 504-95

(Fiscal Impact.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal - 8.

Absent: Supervisors Migden, Shelley, Teng - 3.

[MOU, Ironworkers Union, Local 377]

Resolution ratifying administrative provisions of Memorandum of Understanding between the Ironworkers Union, Local 377 and the City and County awarded by the panel of arbitrators. (Department of Human Resources)

File 93-95-29, Resolution No. 505-95

(Fiscal Impact.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal - 8.

Absent: Supervisors Migden, Shelley, Teng - 3.

Passed for Second Reading

[Fiscal Provisions]

Ordinance implementing the fiscal provisions of the Memorandum of Understanding between the Ironworkers Union, Local 377 and the City and County; companion measure to File 93-95-29. (Department of Human Resources)

File 93-95-29.1, Ordinance No.

(Fiscal Impact.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal - 8.

Absent: Supervisors Migden, Shelley, Teng - 3.

Adopted

[Grant - Federal and State Funds]

Resolution authorizing the Executive Director of the Port to apply for, retroactively, accept and expend \$650,000 from the California Coastal Conservancy for public access for repairs and renovations to Pier 43. (Supervisor Kaufman)

File 144-95-2, Resolution No. 488-95

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal - 8.

Absent: Supervisors Migden, Shelley, Teng - 3.

[Federal Grant, Online Human Services Directory]

Resolution authorizing the Public Library to retroactively apply for \$600,000 in grant funds awarded by the U.S. Department of Commerce, National Telecommunications and Information Administration (NTIA), Telecommunications and Information Infrastructure Assistance Program (TAP) to broaden, leverage and further develop the "San Francisco Connection: Online Human Services Catalog for the City and County" to improve access to knowledge, resources and city information services; waiving indirect costs.

File 147-95-6, Resolution No. 509-95

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal - 8.

Absent: Supervisors Migden, Shelley, Teng - 3.

[Pavement Renovation, Various Streets]

Resolution amending Resolution 615-92 to add eight streets for pavement renovation; Resolution 615-92 authorized the Director of Public Works to accept and expend federal funds in the amount of \$7,257,000 for the pavement renovation of various streets that were listed in the Resolution. (Department of Public Works)

File 148-95-2, Resolution No. 510-95

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal - 8.

Absent: Supervisors Migden, Shelley, Teng - 3.

[Agreement, Police Department, U.S. Dept of Defense]

Resolution authorizing the Chief of Police to execute a hold harmless agreement with the United States Department of Defense for the loan of radios and communications-related equipment prior to and during the UN 50 celebration. (Police Department)

File 172-95-19, Resolution No. 515-95

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal - 8.

Absent: Supervisors Migden, Shelley, Teng - 3.

[Contract Modification-CCSF, Siemens Corporation]

Resolution approving the modification of the contract agreement between Rolm and City and County, dated September 20, 1994 in excess of ten percent of the contract amount. (Department of Electricity and Telecommunications)

File 172-95-21, Resolution No. 516-95

(Fiscal Impact.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal - 8.

Absent: Supervisors Migden, Shelley, Teng - 3.

[Grant - Federal Funds]

Resolution authorizing the Executive Director of the Department of Parking and Traffic to apply for, retroactively, accept and expend up to \$1,177,000 in federal funds for the replacement of traffic signal control equipment and traffic signal retiming within the 19th Avenue-Park Presidio Boulevard signal system, within the North of Market Street signal system, and within the Geary Boulevard signal system, foregoing reimbursement of indirect costs. (Department of Parking and Traffic)

File 192-95-3, Resolution No. 518-95

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal - 8.

Absent: Supervisors Migden, Shelley, Teng - 3.

[State Grant, Bicycle Locker Program]

Resolution authorizing the Executive Director of the Department of Parking and Traffic to accept and expend \$87,500 from the Transportation Fund for Clean Air in the Bay Area for a Bicycle Locker Program; waiving indirect costs; placing \$18,000 on reserve. (Department of Parking and Traffic)

File 192-95-4, Resolution No. 519-95

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal - 8.

Absent: Supervisors Migden, Shelley, Teng - 3.

[Grand Jury Report, Off Street Parking, DPT]

Motion directing the Clerk of the Board of Supervisors to submit comments on the recommendations of the 1994-95 Civil Grand Jury to the Presiding Judge of the Superior Court pertaining to the Department of Parking and Traffic, Off Street Parking Division. (Civil Grand Jury)

File 39-95-1

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal - 8.

Absent: Supervisors Migden, Shelley, Teng - 3.

[Grand Jury Report, Homelessness in San Francisco]

Motion directing the Clerk of the Board of Supervisors to submit comments on the recommendations of the 1994-95 Civil Grand Jury to the Presiding Judge of the Superior Court pertaining to Homelessness in San Francisco. (Civil Grand Jury)

File 39-95-2

Adopted by the following vote:



Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal - 8.

Absent: Supervisors Migden, Shelley, Teng - 3.

SPECIAL ORDER 3:00 P.M.

Hearing Held

[Public Hearing]

Hearing of all persons interested in or objecting to the recommendation of the Public Transportation Commission for abandonment and discontinuance of services on Municipal Railway Trolley Coach Line 8-Market as follows:

File 7-95-4

8-Market: Trolley coach service inbound from Collingwood and 19th Streets via Collingwood, 19th Street, Castro, Market and Steuart Streets, into the Ferry Terminal and then outbound from the Ferry Terminal via Steuart, Market, Castro, 18th Streets and Collingwood to a terminal at 19th Street.

This will permit Municipal Railway to establish service on new line F-Market and implement temporary extension of the 6-Parnassus as follows:

F-Market: Streetcar service daily from approximately 6:00 a.m. until 1:00 a.m. inbound from Castro and Market Streets via Castro, Market and First Streets to the Transbay Terminal, then outbound via Fremont, Market, Noe and 17th Streets to a terminal at Castro Street.

6-Parnassus: Trolley coach service (temporary routing) inbound via current route to Market and First Streets, then eastbound on Market, to Steuart and the Ferry Terminal and then outbound from the Ferry Terminal via Steuart, Market and thence via current route.

The privilege of the floor was granted to the following persons:

Shelley Salieri; Norman Rolfe; Bruce Oka, Bob Planthold; Barry Humstand; Joe Barnes; Mark Mashell; Alice.

There being no one else present wishing to testify, the President declared the Public Hearing on this item closed.

The President resumed the Chair.

Tabled

(Only one of the following two resolutions should be adopted.)

[Public Transportation]

Resolution approving abandonment of service on Municipal Railway Trolley Coach Line 8-Market in conjunction with inauguration of F-Market Streetcar service. (Public Transportation Commission)

File 7-95-4, Resolution No.

Supervisor Kennedy, seconded by Supervisor Ammiano, moved to table.

Tabled by the following vote:

Ayes: Supervisors Alioto Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

Adopted

(See Journal of Proceedings of July 10, 1995  
for disapproval by Mayor.)

[Public Transportation]

Resolution disapproving abandonment of service on Municipal Railway Trolley Coach Line 8-Market in conjunction with inauguration of F-Market Streetcar service. (Public Transportation Commission)

File 7-95-4.1, Resolution No.

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Kennedy, Shelley, Teng - 7.

Noes: Supervisors Hsieh, Kaufman, Leal, Migden - 4.

Appointment of President Pro Tempore

At the request of the President, Supervisor Kennedy assumed the Chair.

COMMITTEE REPORTS

Recommendation of Health, Public Safety and Environment Committee

Adopted

[Retain Public Health Nurses Classification 2830]

Resolution urging the Mayor to urge the Health Department to not eliminate Public Health Nurses, Civil Service Class 2830 in the proposed 1995-96 budget and refrain from any attempts to merge the classification of registered nurses into public health nurses. (Supervisor Hallinan)

File 100-95-3.1, Resolution No. 524-95

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal - 7.

Absent: Supervisors Alioto, Migden, Shelley, Teng - 4.

Recommendations of Government Efficiency and Labor Committee

Passed for Second Reading

[Memorandum of Understanding, Deputy Sheriffs Association]

Ordinance implementing the provisions of the stipulated Arbitrator's Award of a Memorandum of Understanding between the Deputy Sheriffs Association and the City and County. (Supervisor Shelley)

File 93-95-30, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal - 7.

Absent: Supervisors Alioto, Migden, Shelley, Teng - 4.

[Memorandum of Understanding, Teamsters Local 350]

Ordinance implementing the provisions of the Memorandum of Understanding between the Teamsters Local 350 and the City and County awarded by the arbitration panel. (Supervisor Shelley)

File 93-95-32, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal - 7.

Absent: Supervisors Alioto, Migden, Shelley, Teng - 4.

[Memorandum of Understanding, Teamsters Local 856]

Ordinance implementing the provisions of the Memorandum of Understanding between the Teamsters Local 856 and the City and County. (Supervisor Shelley)

File 93-95-33, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal - 7.

Absent: Supervisors Alioto, Migden, Shelley, Teng - 4.

[Memorandum of Understanding, American Physicians/Dentists]  
Ordinance implementing the provisions of the amendment to the Memorandum of Understanding between the Union of American Physicians and Dentists and the City and County. (Supervisor Shelley)

File 93-95-34, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal - 7.

Absent: Supervisors Alioto, Migden, Shelley, Teng - 4.

[Memorandum of Understanding, Local 21]  
Ordinance implementing the provisions of an amendment to the Memorandum of Understanding between the International Federation of Professional and Technical Engineers, Local 21, AFL-CIO and the City and County. (Supervisor Shelley)

File 93-95-35, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal - 7.

Absent: Supervisors Alioto, Migden, Shelley, Teng - 4.

#### PUBLIC COMMENT

The privilege of the floor was granted to the following persons:

Dehnert Queen; Jim Bowie, taxicab safety issue; Jim O'Connor, taxicab safety issue; Jim Lewis, taxicab safety issue; Marc Duffet, 2900 Sloat Boulevard appeal.

There being no one else present wishing to speak, the President declared the public comment portion of the meeting closed.

#### FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures were introduced at a prior meeting of the Board with action requested at this meeting. Any Supervisor may require these measures to go to committee unless a motion to suspend the rules is adopted by eight votes (or a unanimous vote if only six or seven members are present). An "aye" vote is (a) a vote in favor of suspending the rule requiring reference to committee, and (b) a vote in favor of adoption of the measures. Eight votes (or a unanimous vote if only six or seven members are present) is required.

#### Severed From For Adoption Without Committee Reference Calendar

Supervisor Hsieh requested that the following measure be severed from the For Adoption Without Committee Reference Calendar and considered separately.

Adopted as Amended

[Safety Partitions in Taxicabs]

Resolution urging the Mayor to urge the Chief of Police to reconsider regulations regarding the final implementation of the 50 per cent minimum compliance for installation of retractable safety partitions in taxicabs pursuant to Section 1147.2 of the Police Code. (Supervisors Leal, Kaufman, Alioto)

File 121-95-003, Resolution No. 507-95

(June 12, 1995 - Consideration continued to June 19, 1995 with pending amendments as follows:

Amend page 2, line 9, after the word "level", add: "and, WHEREAS, It is already required by ordinance that a retractable safety partition shall be made available to any driver who requests one in his or her taxicab, and no retaliation or discriminatory action shall be taken against any driver who requests a retractable safety partition; now, therefore, be it";

Page 2, line 14, after the word "until", delete "August 15, 1995 to allow" and after the word "Supervisors", delete "to" and replace "conduct" with "conducts";

Page 2, line 16, after the word "appropriate" add the following sentence, "Meanwhile, those safety

shields already installed must remain and other existing provisions within the ordinance remain in full effect.")

The roll was called on the pending amendments and they were adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Teng - 8.

Absent: Supervisors Alioto, Migden, Shelley - 3.

Adopted as amended by the following vote:

Ayes: Supervisors Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Teng - 8.

Absent: Supervisors Alioto, Migden, Shelley - 3.

Severed From For Adoption Without Committee Reference Calendar

Supervisor Ammiano requested that the following measure be severed from the For Adoption Without Committee Reference Calendar and considered separately.

Appointment of President Pro Tempore

At the request of the President, Supervisor Hallinan assumed the Chair so the President could participate in the debate from the floor.

Adopted

[Sunshine Ordinance Day]

Resolution proclaiming June 21, 1995 as Sunshine Ordinance Day. (Supervisor Shelley)

File 004-95-015, Resolution No. 489-95

(June 12, 1995 - Introduced in Board for consideration on June 19, 1995.)

Public Comment

Supervisor Ammiano, seconded by Supervisor Alioto, moved to suspend the rules to permit Public Comment on this item.

No objection and motion carried.

The privilege of the floor was granted to the following persons:

James Chaffee; Mr. Bob Planthold; Sue Hestor; Shelley Salieri.

The President resumed the Chair.

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

Appointment of President Pro Tempore

At the request of the President, Supervisor Kennedy assumed the Chair.

Conference with City Attorney -- Litigation

Request from the City Attorney that the Board of Supervisors convene in closed session with Deputy City Attorneys Paula Jesson and Ted Lakey and with Dr. Mitchell Katz pursuant to Government Code Section 54956.9 for the purpose of conferring or receiving advice from the City Attorney regarding the Attorney General's opinion advising counties may not lawfully operate a needle exchange program through a declaration of emergency.

Deputy City Attorney Ted Lakey reported that the matter was not brought to our attention until after the agenda was posted. In order for the Board to hold a closed session, the following two findings must be adopted.

Adopted

[Serious Injury Finding]

Motion that the Board finds the need to take action is so imperative as to threaten serious injury to the public interest if action is deferred to a later meeting.

Supervisor Hallinan, seconded by Supervisor Hsieh, moved adoption.

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Teng - 8.

Absent: Supervisors Alioto, Migden, Shelley - 3.

[Brown Act Finding]

Motion that the Board finds there is a need to take immediate action and the need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

Supervisor Hallinan, seconded by Supervisor Hsieh, moved adoption.

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Teng - 8.

Absent: Supervisors Alioto, Migden, Shelley - 3.

Recess

The Board recessed at the hour of 6:22 p.m. to convene in closed session pursuant to above motion.

Reconvening of the Board

The Board, at the hour of 6:50 p.m., reconvened.

Calling the Roll

On call of the roll, the following Supervisors were noted present:

Supervisors Ammiano, Hsieh, Kaufman, Kennedy, Leal, Teng - 6.

Noted absent:

Supervisors Alioto, Bierman, Hallinan, Migden, Shelley - 5.

Quorum present.

Supervisor Bierman was noted present at 6:51 p.m.

Supervisor Hallinan was noted present at 6:51 p.m.

Report on Closed Session

Deputy City Attorney Ted Lakey reported that the Board had met in closed session with Deputy City Attorneys Paula Jesson and Ted Lakey and with Dr. Mitchell Katz pursuant to Government Code Section 54956.9 for the purpose of conferring or receiving advice from the City Attorney regarding the Attorney General's opinion advising counties may not lawfully operate a needle exchange program through a declaration of emergency. Although the Board took no action, this item will be calendared for next week.

President Pro Tempore Kennedy stated the Board concurs that it should occur.

Adopted

Motion that the Board of Supervisors finds that it is in the best interest of the public and elects not to disclose its closed session deliberations.

Supervisor Kaufman, seconded by Supervisor Leal, moved adoption.

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Teng - 8.

Absent: Supervisors Alioto, Migden, Shelley - 3.

Severed From For Adoption Without Committee Reference Calendar

Supervisor Bierman requested that the following measure be severed from the For Adoption Without Committee Reference Calendar and considered separately.

Adopted

[Needle Exchange Emergency]

Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program. (Supervisors Alioto, Leal, Bierman, Shelley, Migden)

File 30-95-001.12

(June 12, 1995 - Introduced in Board for consideration on June 19, 1995.)

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Teng - 8.

Absent: Supervisors Alioto, Migden, Shelley - 3.

Severed From For Adoption Without Committee Reference Calendar

Supervisor Bierman requested that the following measure be severed from the For Adoption Without Committee Reference Calendar and considered separately.

Adopted

[California Winter Storms of 1995]

Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the California Winter Storms of 1995. (Supervisors Shelley, Teng)

File 270-95-003.06

(June 12, 1995 - Introduced in Board for consideration on June 19, 1995.)

Adopted by the following vote:

Ayes: Supervisors Ammiano, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Teng - 7.

Absent: Supervisors Alioto, Bierman, Migden, Shelley - 4.

The Board thereupon resumed its consideration of the following items on the For Adoption Without Committee Reference Calendar.

For Adoption Without Committee Reference Calendar

Adopted

[Rainforest Action's Tenth Anniversary]

Resolution commending the Rainforest Action Network for ten years of unique and effective accomplishments in preserving the rainforests of the world for future generations, and declares June 9, 1995 "Rainforest Action Day". (Supervisors Hallinan, Alioto, Teng, Bierman, Shelley)

File 006-95-061, Resolution No. 490-95

(June 12, 1995 - Introduced in Board for consideration on June 19, 1995.)

Adopted.

[Supporting Senate Bill 933-Handguns]

Resolution supporting Senate Bill 933, which bans the manufacture, importation, sale, and possession of non-sporting handguns, otherwise known as the Saturday Night Special. (Supervisors Shelley, Alioto)

File 012-95-040, Resolution No. 491-95

(June 12, 1995 - Introduced in Board for consideration on June 19, 1995.)

Adopted.

[Electric Vehicle Charging Stations]

Resolution urging the Mayor to urge the Parking and Traffic Commission and other relevant authorities to establish electric-vehicle charging stations in city-owned parking facilities including facilities at San Francisco International Airport and encourage large private parking owners to similarly equip their facilities for this new, less polluting means of transportation and encourage the Planning Department, Redevelopment Authority, and other city agencies to develop electric charging stations for new projects. (Supervisor Hallinan)

File 171-95-004, Resolution No. 514-95

(June 12, 1995 - Introduced in Board for consideration on June 19, 1995.)

Adopted.

The foregoing items on the For Adoption Without Committee Reference Calendar were adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Teng - 8.

Absent: Supervisors Alioto, Migden, Shelley - 3.

IMMEDIATE ADOPTION CALENDAR

These measures are being introduced at this meeting. A unanimous vote is required for adoption today. Any Supervisor may require any of these measures to go to committee.

Adopted

[Leaves of Absence]

Resolution granting leaves of absence to various city and county officers with permission to leave the state. (Clerk of the Board)

File 1-95-24, Resolution No. 474-95

(Connie Bear King, Commissioner, Human Rights Commission, July 17 - August 4; Edwin M. Lee, Director, Human Rights Commission, June 10 - 12 and June 17 - 19; Larry Mazzola, Member, Airports Commission, June 11 - 17; Frank O'Neill, Commissioner, Port of San Francisco, June 14 - 18.)

Adopted.

The foregoing item on the Immediate Adoption Calendar was adopted by the following vote:

Ayes: Supervisors Ammiano, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Teng - 7.

Absent: Supervisors Alioto, Bierman, Migden, Shelley - 4.

IMPERATIVE CALENDAR

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the following two motions. Each motion requires 8 votes or a unanimous 6 or 7. A unanimous vote is required for the resolution(s):

Adopted

[Purely Commendatory Finding]

Motion that the Board finds by roll call vote that the resolutions being considered at this time are purely commendatory.

Supervisor Leal, seconded by Supervisor Kaufman, moved adoption.

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Teng - 8.

Absent: Supervisors Alioto, Migden, Shelley - 3.

[Brown Act Finding]

Motion that the Board finds by roll call vote that for the resolutions being considered at this time there is a need to take immediate action and the need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

Supervisor Leal, seconded by Supervisor Kaufman, moved adoption.

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Teng - 8.

Absent: Supervisors Alioto, Migden, Shelley - 3.

[Imperative Resolutions, if any]

Adopted

[UN50 AIDS Memorial Quilt Day]

Resolution commemorating the Names Project Foundation for their first outdoor display of the AIDS Memorial Quilt and declaring June 23rd "UN50 AIDS Memorial Quilt Day".

File 006-95-062, Resolution No. 475-95

Supervisor Migden presented for immediate adoption.

Resolution adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Teng - 8.

Absent: Supervisors Alioto, Migden, Shelley - 3.

OFF-CALENDAR LEGISLATION

ROLL CALL FOR INTRODUCTION OF MEASURES AND COMMUNICATIONS  
NOT CONSIDERED OR REPORTED ON BY COMMITTEE

Referred to Board

[Child Welfare Restructuring]

Resolution expressing opposition of Child Welfare restructuring and realignment as part of the State of California's budget process for fiscal year 1995-1996 and encouraging the City and County Lobbyist in Sacramento and the State Legislators to cooperate in this effort. Supervisor Kennedy presented. Referred to Board for Adoption Without Committee Reference Calendar June 26, 1995.

File 012-95-041.

[Domestic Violence, SB 591, SB 1230, AB 1973]

Resolution supporting passage of SB 591, SB 1230 and AB 1973 relating to domestic violence. Supervisor Kaufman presented. Referred to Board for Adoption Without Committee Reference Calendar June 26, 1995.

File 012-95-042.

Referred to Committee

[Opposing HR 1530, Base Closure Property Use]

Resolution establishing the policy of the City and County of San Francisco to oppose amendments to HR 1530, the Defense Authorization Act, that would eliminate the ability of local communities to use base closure property to assist the homeless. Supervisor Shelley presented. Referred to Base Closure Committee with request it be considered at the June 20, 1995 meeting.

File 013-95-019.

Referred to Board

[BART to the Airport Funding]

Resolution urging the Mayor to request the Airports Commission to work with the Air Transit Association to encourage them to cease opposing the passage of funds for the BART to Airport. Supervisor Kennedy



presented. Referred to Board for Adoption Without Committee Reference Calendar June 26, 1995.

File 027-95-010.

[Needle Exchange Program, Re-affirm Support]

Resolution re-affirming the policy of the City and County of San Francisco to support a formal Needle Exchange Program under the guidance of the San Francisco Department of Public Health. Supervisors Alioto, Ammiano, Hallinan presented. Referred to Board for Adoption Without Committee Reference Calendar June 26, 1995.

File 030-95-012.

Referred to Committee

[Rent Control, Business Improvement District]

Resolution urging the Mayor to urge the Residential Rent Stabilization and Arbitration Board to promulgate rules and regulations that would prohibit the pass-through of assessments collected through a business improvement district to low income residential dwelling units. Supervisor Kaufman presented. Referred to Housing and Land Use Committee.

File 109-95-004.

[Grant, Federal Funds]

Resolution authorizing the Chief Administrative Officer to apply for \$2,975,220 from the Transportation Fund for Clean Air in the Bay Area for programs and projects to reduce air pollution from motor vehicles; waiving indirect costs. Supervisor Hallinan presented. Referred to Government Efficiency/Labor Committee with request it be considered at its June 27, 1995 meeting.

File 133-95-006.

[Street Artists Selling Spaces]

Resolution redesignating two selling spaces on Beach Street, northwest corner, at Hyde Street for street artists certified by the Art Commission. Supervisor Hallinan presented. Referred to Government Efficiency/Labor Committee.

File 169-95-001.

Referred to Board

[Lesbian and Gay Historical Records/Materials]

Resolution urging the Librarian to preserve and retain important Lesbian and Gay Community records, materials and documents whenever possible. Supervisor Ammiano presented. Referred to Board for Adoption Without Committee Reference Calendar June 26, 1995.

File 197-95-007.

[R.O.T.C. Program]

Resolution urging the San Francisco Board of Education to terminate and replace J.R.O.T.C. programs in San Francisco schools with alternative, career-creating programs which teach genuine self-respect and leadership. Supervisor Ammiano presented. Referred to Board for Adoption Without Committee Reference Calendar June 26, 1995.

File 211-95-004.

#### Charter Amendments:

#### Suspension of the Rules

Supervisor Hallinan, seconded by Supervisor Bierman, moved that the time limits prescribed in Rule 5.5 of the Rules of Order of the Board of Supervisors be suspended to permit introduction of the following two Charter amendments for possible consideration at the November 7, 1995 election.

Motion adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal - 7.

Absent: Supervisors Alioto, Migden, Shelley, Teng - 4.

Referred to Committee

[Ballot Measure, Supervisorial Duties, Salary]

Skeletal charter amendment amending the Charter by making the position of supervisor full-time and changing the salary of supervisors to a rate 15 percent above that of the highest-paid supervisorial aide and prohibiting outside earned income. Supervisor Hallinan presented. Referred to Rules Committee.

File 236-95-001

[Ballot Measure, Supervisorial Election]

Skeletal charter amendment amending the charter by causing supervisorial elections to be held during odd-numbered years. Supervisor Hallinan presented. Referred to Rules Committee.

File 249-95-001.

Requests for Hearings:

[Bus Line 71-Noriega]

Hearing to consider the proposed plan to change the 71-Noriega bus line from diesel to electric buses. Supervisor Alioto presented. Referred to Health/Public Safety/Environment Committee.

File 007-95-005.

[African American Filmmaking Industry]

Hearing to consider what steps the City needs to take to provide African American entrepreneurs who are interested in the filmmaking industries the opportunity to acquire an ownership interest in land and buildings in the Hunter's Point Shipyard. Supervisor Kennedy presented. Referred to Economic Vitality/Social Policy Committee. with request it be considered at the July 11, 1995 meeting.

File 197-95-008.

[Death of Aaron Williams]

Hearing to consider the death of Aaron Williams and other cases of death or serious injuries of citizens at the hands of the police in order to recommend changes in policies and procedures. Supervisor Kennedy presented. Referred to Economic Vitality/Social Policy Committee. with request it be considered at the July 11, 1995 meeting.

File 207-95-010.

Motions:

Referred to Board

[Needle Exchange Emergency]

Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program. Supervisors Alioto, Leal, Bierman, Shelley, Migden presented. Referred to Board for Adoption Without Committee Reference Calendar June 26, 1995.

File 030-95-001.13.

[California Winter Storms of 1995 Emergency]

Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the California Winter Storms of 1995. Supervisors Shelley, Teng presented. Referred to Board for Adoption Without Committee Reference Calendar June 26, 1995.

File 270-95-003.07.

Introduced by the President at the Request of Departments

Ordinances Referred to Committee

File 045-95-022. [Bush-Polk Garage Lawsuit Settlement] Ordinance approving the settlement of Insurance Company of North America v. City and County of San Francisco, regarding the construction of the Bush-Polk Garage. (USDC Northern District of California, Case No. C94-03845). (Department of Parking and Traffic) Referred to Government Efficiency/Labor Committee.

File 045-95-023. [Bayshore Sanitary District v. CCSF] Ordinance authorizing the Mayor and the City Attorney to execute a Joint Exercise of Powers Agreement for sewer services between the City and County of San Francisco and the Bayshore Sanitary District in settlement of litigation and to dismiss all litigation claims with respect thereto. (Santa Clara Superior Court No. CV 740514) (City Attorney) Referred to Government Efficiency/Labor Committee.

File 093-95-031.01. [MOU, Fiscal Provisions, MEA] Ordinance implementing the fiscal provisions of the Memorandum of Understanding between the Municipal Executives Association for bargaining Units M and EM and the City and County of San Francisco awarded by the Arbitration Panel. (Department of Human Resources) Referred to Government Efficiency/Labor Committee.

File 093-95-036. [MOU, Automotive Service Worker, Local 250-A] Ordinance implementing the provisions of a Memorandum of Understanding between the Transport Workers Union, Local 250-A (7410 Automotive Service Worker) and the City and County of San Francisco providing for employee assistance for drug and alcohol dependency for the period July 1, 1995 through June 30, 1996. (Department of Human Resources) Referred to Government Efficiency/Labor Committee.

File 093-95-036.01. [MOU, Automotive Service Worker, Local 250-A] Ordinance implementing the provisions of the Memorandum of Understanding between the Transport Workers Union, Local 250-A (7410 Automotive Service Worker) and the City and County of San Francisco awarded by the Arbitration Panel. (Department of Human Resources) Referred to Government Efficiency/Labor Committee.

File 093-95-037. [MOU, Implementing Provisions, Local 1305] Ordinance implementing the provisions of an amendment to the Memorandum of Understanding between the Automotive Machinists, Local 1305 and the City and County of San Francisco providing for employee assistance for drug and alcohol dependency for the period July 1, 1995 through June 30, 1996. (Also see Files 93-95-5 & 93-95-5.1) (Department of Human Resources) Referred to Government Efficiency/Labor Committee.

File 093-95-038. [MOU, Implementing Provisions, Local 216] Ordinance implementing the provisions of an amendment to the Memorandum of Understanding between the Building Material and Construction Teamsters, Local 216 and the City and County of San Francisco providing for employee assistance for drug and alcohol dependency for the period July 1, 1995 through June 30, 1996. (Also see Files 93-95-20, 93-95-20.1, 93-95-20.2, & 93-95-20.3) (Department of Human Resources) Referred to Government Efficiency/Labor Committee.

File 093-95-039. [MOU, Implementing Provisions, Local 1327] Ordinance implementing the provisions of an amendment to the Memorandum of Understanding between the International Association of Machinists and Aerospace Workers, Local 1327 and the City and County of San Francisco providing for employee assistance for drug and alcohol dependency for the period July 1, 1995 through June 30, 1996. (Also see Files 93-95-8 & 93-95-8.1) (Department of Human Resources) Referred to Government Efficiency/Labor Committee.

File 093-95-040. [MOU, Implementing Provisions, Local 6] Ordinance implementing the provisions of an amendment to the Memorandum of Understanding between the International Brotherhood of Electrical Workers, Local 6, and the City and County of San Francisco providing for employee assistance for drug and alcohol dependency for the period July 1, 1995 through June 30, 1996. (Also see Files 93-95-13 & 93-95-13.1) (Department of Human Resources) Referred to Government Efficiency/Labor Committee.

File 093-95-041. [MOU, Implementing Provisions, Local 261] Ordinance implementing the provisions of an amendment to the Memorandum of Understanding between the Laborer's Union, Local 261 and the City and County of San Francisco providing for employee assistance for drug and alcohol dependency for the period July 1, 1995 through June 30, 1996. (Also see Files 93-95-7 & 93-95-7.1) (Department of Human Resources) Referred to Government Efficiency/Labor Committee.

File 093-95-042. [MOU, Implementing Provisions, Local 790] Ordinance implementing the provisions of an amendment to the Memorandum of Understanding between the Service Employees International Union, Local 790, and the City and County of San Francisco providing for employee assistance for drug and alcohol dependency for the period July 1, 1995 through June 30, 1996. (Also see File 93-95-1) (Department of Human Resources) Referred to Government Efficiency/Labor Committee.

File 093-95-043. [MOU, Implementing Provisions, Local 39] Ordinance implementing the provisions of an amendment to the Memorandum of Understanding between the Stationary Engineers, Local 39 and the City and County of San Francisco providing for employee assistance for drug and alcohol dependency for the period July 1, 1995 through June 30, 1996. (Also see Files 93-95-28 & 93-95-28.1) (Department of Human Resources) Referred to Government Efficiency/Labor Committee.

File 093-95-044. [MOU, 9163 Transit Operators, Local 250-A] Ordinance implementing the provisions of an amendment to the Memorandum of Understanding between the Transport Worker's Union, Local 250-A (9163 Transit Operators and Related Trainee Classes) and the City and County of San Francisco providing for employee assistance for drug and alcohol dependency for the period June 30, 1995 through June 30, 1996. (Department of Human Resources) Referred to Government Efficiency/Labor Committee.

File 093-95-045. [MOU, Implementing Provisions, Local 200] Ordinance implementing the provisions of a Memorandum of Understanding between the Transport Workers Union, Local 200 and the City and County of San Francisco providing for employee assistance for drug and alcohol dependency for the period July 1, 1995 through June 30, 1996. (Department of Human Resources) Referred to Government Efficiency/Labor Committee.

File 093-95-046. [MOU, Local 200, SEAM] Ordinance implementing the provisions of the Memorandum of Understanding between the Transport Workers Union, Local 200, SEAM and the City and County of San Francisco awarded by the arbitration panel. (Department of Human Resources) Referred to Government Efficiency/Labor Committee.

File 093-95-047. [MOU, Units 8-AA/8-BB/11-Z/11-CC, Local 250-A] Ordinance implementing the provisions of the Memorandum of Understanding between the Transport Workers Union, Local 250-A, for Units 8-AA, 8-BB, 11-2, 11-CC and the City and County of San Francisco awarded by the arbitration panel. (Also see Files 93-95-36 & 93-95-36.1) (Department of Human Resources) Referred to Government Efficiency/Labor Committee.

File 124-95-002. [Speed Limit] Ordinance amending Traffic Code by deleting Section 174.05 and adding Sections 176.36, 176.37, and 176.38, concerning the speed limits on Cargo Way, Hunters Point Boulevard, and a portion of Innes Avenue. DPT Order No. 844. (Department of Parking and Traffic) Referred to Housing and Land Use Committee.

File 172-95-027. [Sales and Grants of Easements] Ordinance authorizing and approving sales of and grants of easements with respect to City-owned property (portions of Block 5269, Lots 7 and 8; and Block 5282, Lot 31) to the State of California Department of Transportation in connection with the retrofit and maintenance of the Interstate 280 Freeway. (Real Estate Department) Referred to Budget Committee.

File 172-95-028. [Lead Abatement Education Agreement] Ordinance authorizing and approving an agreement between the City and County of San Francisco and the San Francisco Community College District for the District to provide lead abatement training to private lead abatement contractors to allow those contractors to perform lead hazard abatement work on residential dwellings pursuant to a Lead Hazard Reduction Program funded through the Mayor's Office of Housing by the United States Department of Housing and Urban Development, which agreement includes a mutual indemnity clause. (Mayor's Office of Housing) Referred to Government Efficiency/Labor Committee.

#### Resolutions Referred to Committee

File 025-95-016. [Prop J Contract, Transcription Services] Resolution concurring with the Controller's certification that transcription services for the Medical Examiner's Office can be practically performed by private contractors for lower cost than similar work services performed by City and County employees. (Chief Medical Examiner - Coroner) Referred to Government Efficiency/Labor Committee.

File 093-95-031. [MOU, Administrative Provisions, MEA] Resolution ratifying Administrative Provisions of Memorandum of Understanding between the Municipal Executives Association for bargaining units M and EM and the City and County of San Francisco awarded by the panel of arbitrators. (Department of Human Resources) Referred to Government Efficiency/Labor Committee.

File 094-95-002. [State Grant, Bio-Diesel Demonstration Project] Resolution authorizing the Public Transportation Commission retroactively to apply for, accept and expend \$510,000 of Regional Bay Air Quality Management District Capital Assistance including the required local match contribution of \$286,000 from the San Francisco Municipal Railway Improvement Corporation and \$210,300 from the National Bio-Diesel Board for the Bio-Diesel Demonstration Project. (Public Transportation Commission) Referred to Government Efficiency/Labor Committee.

File 146-95-008. [State Grant, STD Prevention and Control Program] Resolution authorizing the Department of Public Health, Community Public Health Services, to accept and expend a grant of \$16,781 from the California Department of Health Services, STD Control Branch, for STD Outreach, Education and Referral Services; waiving indirect costs. (Department of Public Health) Referred to Government Efficiency/Labor Committee.

#### Requests Granted

There being no objection, the Board directed the Clerk to comply with the following requests:

By Supervisor Leal, that City Attorney prepare ordinance which would expand the jurisdiction of the City and County to include enforcement of various code provisions at the San Bruno Jail facility in the County of San Mateo, including without limitation code requirements enforced by the Health, Building Inspection and Fire Departments.

By Supervisor Alioto, that City Attorney prepare ordinance which would amend the membership requirements of the War Memorial Board of Trustees.

#### Motions Adopted

Motion that the Board adjourn its meeting this date out of respect to the memory of the following deceased:

Steve Silver (By the entire Board)  
Daniel Aldridge, Sr. (Supervisor Kennedy)  
Chris K. Mouroufas (Supervisors Shelley, Ammiano, Bierman, Hallinan)  
Walter Lander (Supervisors Kaufman, Bierman)  
Louis Martinez (Supervisor Leal)

File 2-95-24

Unanimously adopted by a rising vote.

ADJOURNMENT

There being no further business, the Board at the hour of 6:54 p.m. adjourned.

John L. Taylor, Clerk

N.B. This Journal of Proceedings sets forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on August 21, 1995

I, John L. Taylor, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Journal of Proceedings of said Board on the date stated and was approved as recited.

John L. Taylor  
Clerk of the Board of Supervisors

JOURNAL OF PROCEEDINGS

BOARD OF SUPERVISORS

SPECIAL MEETING

Wednesday, June 21, 1995 - 1:15 p.m.

The Board of Supervisors of the City and County of San Francisco met in special session on the above date with President Kevin Shelley presiding.

CALLING THE ROLL

The meeting was called to order at 1:35 p.m. On call of the roll, the following Supervisors were noted present:

Supervisors Bierman, Hallinan, Hsieh, Kaufman, Migden, Shelley - 6.

Noted absent at first roll call:

Supervisors Alioto, Ammiano, Kennedy, Leal, Teng - 5.

Quorum present.

Supervisor Alioto was noted present at 1:36 p.m.

Supervisor Kennedy was noted present at 1:40 p.m.

Recommendations of Government Efficiency and Labor Committee

Adopted

[MOU, Administrative Provisions, MEA]

Resolution ratifying Administrative Provisions of Memorandum of Understanding between the Municipal Executives Association for bargaining units M and EM and the City and County of San Francisco awarded by the panel of arbitrators. (Department of Human Resources)

File 93-95-31, Resolution No. 506-95

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Migden, Shelley - 8.

Absent: Supervisors Ammiano, Leal, Teng - 3.

Passed for Second Reading

[MOU, Fiscal Provisions, MEA]

Ordinance implementing the fiscal provisions of the Memorandum of Understanding between the Municipal Executives Association for bargaining Units M and EM and the City and County of San Francisco awarded by the Arbitration Panel. (Department of Human Resources)

File 93-95-31.1, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Migden, Shelley - 8.

Absent: Supervisors Ammiano, Leal, Teng - 3.

[MOU, Automotive Service Worker, Local 250-A]

Ordinance implementing the provisions of a Memorandum of Understanding between the Transport Workers Union, Local 250-A (7410 Automotive Service Worker) and the City and County of San Francisco providing for employee assistance for drug and alcohol dependency for the period July 1, 1995 through June 30, 1996. (Department of Human Resources)

File 93-95-36, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Migden, Shelley - 8.

Absent: Supervisors Ammiano, Leal, Teng - 3.

[MOU, Automotive Service Worker, Local 250-A]

Ordinance implementing the provisions of the Memorandum of Understanding between the Transport Workers Union, Local 250-A (7410 Automotive Service Worker) and the City and County of San Francisco awarded by the Arbitration Panel as amended. (Department of Human Resources)

File 93-95-36.1, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Migden, Shelley - 8.

Absent: Supervisors Ammiano, Leal, Teng - 3.

[MOU, Implementing Provisions, Local 1305]

Ordinance implementing the provisions of an amendment to the Memorandum of Understanding between the Automotive Machinists, Local 1305 and the City and County of San Francisco providing for employee assistance for drug and alcohol dependency for the period July 1, 1995 through June 30, 1996. (Department of Human Resources)

File 93-95-37, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Migden, Shelley - 8.

Absent: Supervisors Ammiano, Leal, Teng - 3.

[MOU, Implementing Provisions, Local 216]

Ordinance implementing the provisions of an amendment to the Memorandum of Understanding between the Building Material and Construction Teamsters, Local 216 and the City and County of San Francisco providing for employee assistance for drug and alcohol dependency for the period July 1, 1995 through June 30, 1996. (Department of Human Resources)

File 93-95-38, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Migden, Shelley - 8.

Absent: Supervisors Ammiano, Leal, Teng - 3.

[MOU, Implementing Provisions, Local 1327]

Ordinance implementing the provisions of an amendment to the Memorandum of Understanding between the International Association of Machinists and Aerospace Workers, Local 1327 and the City and County of San Francisco providing for employee assistance for drug and alcohol dependency for the period July 1, 1995 through June 30, 1996. (Department of Human Resources)

File 93-95-39, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Migden, Shelley - 8.

Absent: Supervisors Ammiano, Leal, Teng - 3.

[MOU, Implementing Provisions, Local 6]

Ordinance implementing the provisions of an amendment to the Memorandum of Understanding between the International Brotherhood of Electrical Workers, Local 6, and the City and County of San Francisco providing for employee assistance for drug and alcohol dependency for the period July 1, 1995 through June 30, 1996. (Department of Human Resources)

File 93-95-40, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Migden, Shelley - 8.

Absent: Supervisors Ammiano, Leal, Teng - 3.



[MOU, Implementing Provisions, Local 261]

Ordinance implementing the provisions of an amendment to the Memorandum of Understanding between the Laborer's Union, Local 261 and the City and County of San Francisco providing for employee assistance for drug and alcohol dependency for the period July 1, 1995 through June 30, 1996. (Department of Human Resources)

File 93-95-41, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Migden, Shelley - 8.

Absent: Supervisors Ammiano, Leal, Teng - 3.

[MOU, Implementing Provisions, Local 790]

Ordinance implementing the provisions of an amendment to the Memorandum of Understanding between the Service Employees International Union, Local 790, and the City and County of San Francisco providing for employee assistance for drug and alcohol dependency for the period July 1, 1995 through June 30, 1996. (Department of Human Resources)

File 93-95-42, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Migden, Shelley - 8.

Absent: Supervisors Ammiano, Leal, Teng - 3.

[MOU, Implementing Provisions, Local 39]

Ordinance implementing the provisions of an amendment to the Memorandum of Understanding between the Stationary Engineers, Local 39 and the City and County of San Francisco providing for employee assistance for drug and alcohol dependency for the period July 1, 1995 through June 30, 1996. (Department of Human Resources)

File 93-95-43, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Migden, Shelley - 8.

Absent: Supervisors Ammiano, Leal, Teng - 3.

[MOU, 9163 Transit Operators, Local 250-A]

Ordinance implementing the provisions of an amendment to the Memorandum of Understanding between the Transport Worker's Union, Local 250-A (9163 Transit Operators and Related Trainee Classes) and the City and County of San Francisco providing for employee assistance for drug and alcohol dependency for the period June 30, 1995 through June 30, 1996. (Department of Human Resources)

File 93-95-44, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Migden, Shelley - 8.

Absent: Supervisors Ammiano, Leal, Teng - 3.

[MOU, Implementing Provisions, Local 200]

Ordinance implementing the provisions of a Memorandum of Understanding between the Transport Workers Union, Local 200 and the City and County of San Francisco providing for employee assistance for drug and alcohol dependency for the period July 1, 1995 through June 30, 1996. (Department of Human Resources)

File 93-95-45, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Migden, Shelley - 8.

Absent: Supervisors Ammiano, Leal, Teng - 3.

Passed for Second Reading as Amended



[MOU, Local 200, SEAM]

Ordinance implementing the provisions of the Memorandum of Understanding between the Transport Workers Union, Local 200, SEAM and the City and County of San Francisco awarded by the arbitration panel as amended. (Department of Human Resources)

File 93-95-46, Ordinance No.

Supervisor Hallinan, seconded by Supervisor Hsieh, moved to amend Arbitration Award as follows: Under item 1, second line, after "business" add the following language "(including employees who have received written authorization to use their personal vehicle as a street corner shelter)".

Motion to amend adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Migden, Shelley - 8.

Absent: Supervisors Ammiano, Leal, Teng - 3.

Passed for second reading as amended by the following vote:

Ayes: Supervisors Alioto, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Migden, Shelley - 8.

Absent: Supervisors Ammiano, Leal, Teng - 3.

Passed for Second reading

[MOU, Units 8-AA/8-BB/11-Z/11-CC, Local 250-A]

Ordinance implementing the provisions of the Memorandum of Understanding between the Transport Workers Union, Local 250-A, for Units 8-AA, 8-BB, 11-Z, 11-CC and the City and County of San Francisco awarded by the arbitration panel as amended. (Department of Human Resources)

File 93-95-47, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Migden, Shelley - 8.

Absent: Supervisors Ammiano, Leal, Teng - 3.

#### ADJOURNMENT

There being no further business, the Board at the hour of 1:41 p.m. adjourned.

John L. Taylor, Clerk

N.B. This Journal of Proceedings sets forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on August 21, 1995.

I, John L. Taylor, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Journal of Proceedings of said Board on the date stated and was approved as recited.

John L. Taylor  
Clerk of the Board of Supervisors



Monday, June 26, 1995

# Journal of Proceedings

*The Minutes of the*

## Board of Supervisors

City and County of San Francisco

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JOURNAL OF PROCEEDINGS

BOARD OF SUPERVISORS

Monday, June 26, 1995 - 2:00 p.m.

The Board of Supervisors of the City and County of San Francisco met in regular session on the above date with President Kevin Shelley presiding.

CALLING THE ROLL

The meeting was called to order at 2:11 p.m. On call of the roll, the following Supervisors were noted present:

Supervisors Ammiano, Hallinan, Hsieh, Kennedy, Leal, Migden, Shelley, Teng - 8.

Noted absent at first roll call:

Supervisors Alioto, Bierman, Kaufman - 3.

Quorum present.

Supervisor Alioto was noted present at 2:23 p.m.

Supervisor Bierman was noted present at 2:16 p.m.

Supervisor Kaufman was noted present at 2:15 p.m.

CONSENT CALENDAR

Recommendations of Government Efficiency and Labor Committee

Finally Passed

[Settlement of Litigation, Homer Bolton]

Ordinance authorizing settlement of litigation of Homer Bolton against the City and County, Michael Hennessey and Sharon Heath, by payment of \$72,500. (City Attorney)

File 45-95-20, Ordinance No. 214-95

(U.S. District Court No. C94-00620WHO.)

Finally passed.

[Fiscal Provisions]

Ordinance implementing the fiscal provisions of the Memorandum of Understanding between the Ironworkers Union, Local 377 and the City and County of San Francisco. (Department of Human Resources)

File 93-95-29.1, Ordinance No. 215-95

(Fiscal Impact.)

Finally passed.

[Memorandum of Understanding, Deputy Sheriffs Association]

Ordinance implementing the provisions of the stipulated Arbitrator's Award of a Memorandum of Understanding between the Deputy Sheriffs Association and the City and County. (Supervisor Shelley)

File 93-95-30, Ordinance No. 216-95

Finally passed.

[MOU, Fiscal Provisions, MEA]

Ordinance implementing the fiscal provisions of the Memorandum of Understanding between the Municipal Executives Association for bargaining Units M and EM and the City and County of San Francisco awarded by the Arbitration Panel. (Department of Human Resources)

File 93-95-31.1, Ordinance No. 217-95

Finally passed.

[Memorandum of Understanding, Teamsters Local 350]

Ordinance implementing the provisions of the Memorandum of Understanding between the Teamsters Local 350 and the City and County of San Francisco awarded by the arbitration panel. (Supervisor Shelley)

File 93-95-32, Ordinance No. 218-95

Finally passed.

[Memorandum of Understanding, Teamsters Local 856]

Ordinance implementing the provisions of the Memorandum of Understanding between the Teamsters Local 856 and the City and County of San Francisco. (Supervisor Shelley)

File 93-95-33, Ordinance No. 219-95

Finally passed.

[Memorandum of Understanding, American Physicians/Dentists]

Ordinance implementing the provisions of the amendment to the Memorandum of Understanding between the Union of American Physicians and Dentists and the City and County. (Supervisor Shelley)

File 93-95-34, Ordinance No. 220-95

Finally passed.

[Memorandum of Understanding, Local 21]

Ordinance implementing the provisions of an amendment to the Memorandum of Understanding between the International Federation of Professional and Technical Engineers, Local 21, AFL-CIO and the City and County. (Supervisor Shelley)

File 93-95-35, Ordinance No. 221-95

Finally passed.

[MOU, Automotive Service Worker, Local 250-A]

Ordinance implementing the provisions of a Memorandum of Understanding between the Transport Workers Union, Local 250-A (7410 Automotive Service Worker) and the City and County of San Francisco providing for employee assistance for drug and alcohol dependency for the period July 1, 1995 through June 30, 1996. (Department of Human Resources)

File 93-95-36, Ordinance No. 222-95

Finally passed.

[MOU, Implementing Provisions, Local 1305]

Ordinance implementing the provisions of an amendment to the Memorandum of Understanding between the Automotive Machinists, Local 1305 and the City and County of San Francisco providing for employee assistance for drug and alcohol dependency for the period July 1, 1995 through June 30, 1996. (Department of Human Resources)

File 93-95-37, Ordinance No. 224-95

Finally passed.

[MOU, Implementing Provisions, Local 216]

Ordinance implementing the provisions of an amendment to the Memorandum of Understanding between the

Building Material and Construction Teamsters, Local 216 and the City and County of San Francisco providing for employee assistance for drug and alcohol dependency for the period July 1, 1995 through June 30, 1996. (Department of Human Resources)

File 93-95-38, Ordinance No. 225-95

Finally passed.

[MOU, Implementing Provisions, Local 1327]

Ordinance implementing the provisions of an amendment to the Memorandum of Understanding between the International Association of Machinists and Aerospace Workers, Local 1327 and the City and County providing for employee assistance for drug and alcohol dependency for the period July 1, 1995 through June 30, 1996. (Department of Human Resources)

File 93-95-39, Ordinance No. 226-95

Finally passed.

[MOU, Implementing Provisions, Local 6]

Ordinance implementing the provisions of an amendment to the Memorandum of Understanding between the International Brotherhood of Electrical Workers, Local 6, and the City and County of San Francisco providing for employee assistance for drug and alcohol dependency for the period July 1, 1995 through June 30, 1996. (Department of Human Resources)

File 93-95-40, Ordinance No. 227-95

Finally passed.

[MOU, Implementing Provisions, Local 261]

Ordinance implementing the provisions of an amendment to the Memorandum of Understanding between the Laborer's Union, Local 261 and the City and County of San Francisco providing for employee assistance for drug and alcohol dependency for the period July 1, 1995 through June 30, 1996. (Department of Human Resources)

File 93-95-41, Ordinance No. 228-95

Finally passed.

[MOU, Implementing Provisions, Local 790]

Ordinance implementing the provisions of an amendment to the Memorandum of Understanding between the Service Employees International Union, Local 790, and the City and County of San Francisco providing for employee assistance for drug and alcohol dependency for the period July 1, 1995 through June 30, 1996. (Department of Human Resources)

File 93-95-42, Ordinance No. 229-95

Finally passed.

[MOU, Implementing Provisions, Local 39]

Ordinance implementing the provisions of an amendment to the Memorandum of Understanding between the Stationary Engineers, Local 39 and the City and County of San Francisco providing for employee assistance for drug and alcohol dependency for the period July 1, 1995 through June 30, 1996. (Department of Human Resources)

File 93-95-43, Ordinance No. 230-95

Finally passed.

[MOU, 9163 Transit Operators, Local 250-A]

Ordinance implementing the provisions of an amendment to the Memorandum of Understanding between the Transport Worker's Union, Local 250-A (9163 Transit Operators and Related Trainee Classes) and the City and County of San Francisco providing for employee assistance for drug and alcohol dependency for the period June 30, 1995 through June 30, 1996. (Department of Human Resources)

File 93-95-44, Ordinance No. 231-95

Finally passed.

[MOU, Implementing Provisions, Local 200]

Ordinance implementing the provisions of a Memorandum of Understanding between the Transport Workers Union, Local 200 and the City and County of San Francisco providing for employee assistance for drug and alcohol dependency for the period July 1, 1995 through June 30, 1996. (Department of Human Resources)

File 93-95-45, Ordinance No. 232-95

Finally passed.

[City Seal]

Ordinance amending Administrative Code, authorizing the Clerk of the Board, upon the recommendation of the Chief Administrative Officer, to approve the use of the City seal on items proposed by the Chief Administrative Officer, and allowing items with the approved use of the City seal to be offered for sale by the City and County of San Francisco. (Supervisors Leal, Alioto)

File 97-95-5, Ordinance No. 235-95

(Adds Section 1.6-A.)

Finally passed.

[City Store]

Ordinance amending Administrative Code, authorizing the Chief Administrative Officer or the Purchaser to establish a municipal store for the purpose of selling City surplus goods and souvenir merchandise bearing City marks, logos, emblems, symbols and designs to promote and advertise the City and County of San Francisco, offer such merchandise through direct mail catalog programs and agreements with retailers and distributors and to ensure that departments or commissions offering goods for sale are credited with the profits from the sale of their goods. (Supervisor Leal)

File 97-95-24, Ordinance No. 236-95

(Fiscal Impact.)

(Adds Section 1.48.)

Finally passed.

Recommendations of Housing and Land Use Committee

Adopted

[Stop Signs - Establish]

Resolution designating certain intersections as "Stop" intersections. (Housing and Land Use Committee)

File 18-95-8, Resolution No. 531-95

(Stop Signs - Establish

Pacheco Street and Magellan Avenue, northwest and southeast corners, stopping Pacheco Street (makes this an all-way Stop);

Washington and Locust Streets, northeast and southwest corners, stopping Washington Street (makes this an all-way Stop).

Adopted.

[Stop Signs, Grant Avenue/North Point Street]

Resolution designating Grant Avenue and North Point Street as "Stop" intersections. (Housing and Land Use Committee)

File 18-95-9, Resolution No. 532-95

(Stop Signs - Establish

Grant Avenue and North Point Street, northwest corner, stopping Grant Avenue (Stops the stem of this T-intersection).)

Adopted.



[Parking Regulations, various locations]

Resolution enacting and rescinding parking regulations at various locations. (Housing and Land Use Committee)

File 19-95-6, Resolution No. 533-95

(10-Minute Parking, 6 pm - 9 pm, Monday through Saturday - Establish

Fillmore Street, east side, from 110 feet to 132 feet south of Sutter Street (22-foot zone at meter no. 1718).

10-Minute Parking, 6 pm - Midnight, Monday through Saturday - Establish

Market Street, south side, from 72 feet to 116 feet east of 16th Street (44-foot zone at meter nos. 2257 and 2259).

No Parking anytime - Rescind

Upper Terrace, west side, from the north property line of 389 Upper Terrace to 46.5 feet southerly (shortens existing zone by 46.5 feet).

Perpendicular (90-Degree Angle) Parking - Establish

De Haro Street, east side, between 23rd and 24th Streets (legalizes existing condition).

De Haro Street, west side, from 23rd Street to a point 52 feet north of 24th Street (legalizes existing condition).

Two-Hour Parking Time Limit, 7 AM - 6 PM, Monday through Friday - Establish

Townsend Street, north side, between 4th and 5th Streets.

Diagonal (90-Degree Angle) Parking - Establish

Green Street, south/west side, from terminus east of Jones Street to 25 feet northerly (25-foot zone accommodating 2 parking stalls).

Diagonal (approximately 45-Degree Angle) Parking - Establish

Green Street, north/east side, from terminus east of Jones Street to 50 feet northerly (50-foot zone accommodating 4 parking stalls).

Adopted.

[Parking Regulations, various locations]

Resolution enacting and rescinding parking regulations at various streets. (Housing and Land Use Committee)

File 19-95-7, Resolution No. 534-95

(No Parking Anytime - Rescind

Ice House Alley, east side, from Green Street to north end (existing zone to be modified to accommodate a new yellow zone).

No Parking Anytime - Establish

Ice House Alley, east side, from 110 feet north of Green Street to north end.

Ice House Alley, east side, from Green Street to 76 feet northerly (76-foot zone).

One Hour Parking time limit, 9 am - 4 pm, Monday through Saturday - Rescind

Parking Meter Area No. 3 (1-Hour time limit, 9 am - 4 pm, Monday through Saturday) - Establish  
Gough Street, east side, between Page and Haight Streets.

One Hour Parking time limit, 7 am - 6 pm, Monday through Saturday - Rescind.

Parking Meter Area No. 3 (1-Hour time limit, 9 am - 6 pm, Monday through Saturday) - Establish.  
Gough Street, both sides, between Oak and Page Streets.

Gough Street, west side, between Page and Haight Streets.)

Adopted.

[Traffic Regulations, Various Locations]

Resolution enacting traffic regulations at various locations. (Department of Parking and Traffic)

File 20-95-9, Resolution No. 535-95

(No Left Turn or U-Turn - Establish

Laguna Honda Boulevard, both directions, at Forest Hill Station turnaround.

Tow-Away, No Stopping Anytime - Establish

Scott Street, west side, from Oak Street to 105 feet northerly (105-foot zone eliminates 1 parking space to allow the traffic lanes to be widened.)

Adopted.

[Traffic Regulations]

Resolution enacting and rescinding traffic regulations at various streets. (Housing and Land Use Committee)

File 20-95-10, Resolution No. 536-95

Bicycle Lanes - Establish

16th Street, eastbound and westbound, between Kansas and Mississippi Streets.

16th Street, eastbound and westbound, between Pennsylvania and Third Streets.

No Left Turn - Rescind

No Left Turn, Except MUNI - Establish

Mission Street, westbound, at 11th Street.

No Left Turn, 7 am - 9 am and 4 pm - 6 pm, except Sunday - Rescind

Broadway, eastbound, at Sansome Street.

Tow Away, No Stopping Anytime - Establish

South Van Ness Avenue, west side, from Mission Street to 190 feet southerly (190-foot zone).

South Van Ness Avenue, west side, from Otis Street to 240 feet northerly (240-foot zone, eliminates meter nos. 38 and 40).

Left Lane must Turn Left - Establish

South Van Ness Avenue, southbound, at 12th Street.)

Adopted.

The foregoing items on the Consent Calendar were acted upon by the following vote:

Ayes: Supervisors Ammiano, Hallinan, Hsieh, Kennedy, Leal, Migden, Shelley, Teng - 8.

Absent: Supervisors Alioto, Bierman, Kaufman - 3.

REGULAR CALENDAR

UNFINISHED BUSINESS

Recommendations of Budget Committee

Finally Passed

[Interim Annual Appropriation Ordinance]

Interim Annual Appropriation Ordinance for fiscal year 1995-96.

File 101-95-1, Ordinance No. 238-95

(Fiscal Impact.)

(An interim ordinance appropriating all estimated receipts and all estimated expenditures for the City and County of San Francisco for the fiscal year ending June 30, 1996.)

Finally passed by the following vote:

Ayes: Supervisors Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 10.

Absent: Supervisor Alioto - 1.

[Interim Annual Salary Ordinance]

Interim Annual Salary Ordinance for fiscal year 1995-96.

File 102-95-1, Ordinance No. 239-95

(Fiscal Impact.)

(An interim ordinance enumerating positions in the Annual Budget and Appropriation Ordinance for the fiscal year ending June 30, 1996, continuing, creating or establishing these positions; enumerating and including therein all positions created by Charter or State law for which compensations are paid from City and County funds and appropriated in the Annual Appropriation Ordinance; authorizing appointments or continuation of appointments thereto; specifying and fixing the compensations and work schedules thereof; and authorizing appointments to temporary positions and fixing compensations therefor.)

Finally passed by the following vote:

Ayes: Supervisors Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 10.

Absent: Supervisor Alioto - 1.

[Criminal Justice Administration Fee]

Ordinance amending Administrative Code, establishing and allowing the City and County to collect a booking fee for persons placed on probation. (Adult Probation Department)

File 97-95-30, Ordinance No. 237-95

(Adds Section 8.38.)

Finally passed by the following vote:

Ayes: Supervisors Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 8.

Noes: Supervisors Ammiano, Bierman - 2.

Absent: Supervisor Alioto - 1.

From Budget Committee "Without Recommendation"

Consideration Continued as Amended

(Supervisor Kaufman dissenting in Committee.)

[Occupation License ((Fee))Tax]

Ordinance amending Part III, Municipal Code, ("Occupation License ((Fee)) Tax Ordinance") thereto to impose a license ((fee)) tax of two percent (2%) of compensation on employees earning in excess of \$150,000 for work performed or services rendered within San Francisco; setting effective date of January 1, 1996. (Supervisor Ammiano)

File 127-95-3, Ordinance No.

(Fiscal Impact.)

(Adds Article 12-E, Sections ((1301)) 1231 through ((1818)) 1249; adds Section 1026.2.)

(June 19, 1995 - Consideration continued to June 26, 1995.)

Supervisor Ammiano, seconded by Supervisor Migden, moved an amendment of the whole entitled, "[Occupation License Tax] Ordinance amending Part III, Municipal Code, by adding Sections 1231 through 1249 and 1026.2 ("Occupation License Tax Ordinance") thereto to impose a license tax of two percent (2%) of compensation on employees earning in excess of \$150,000 for work performed or services rendered within San Francisco; setting effective date of January 1, 1996."

Amendment of the whole adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

Supervisor Ammiano, seconded by Supervisor Migden, moved to continue consideration as amended to public hearing July 31, 1995.

Motion to continue adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

Finally Passed

(Supervisor Bierman dissenting in Committee.)

[Hotel Tax Allocation]

Ordinance amending Part III, Municipal Code, to base allocations of Hotel Tax revenues on revenues received in the immediately prior fiscal year rather than on estimated revenues for the allocation year. (Supervisor Hsieh)

File 127-95-6, Ordinance No. 240-95

(Fiscal Impact.)

(Amends Section 515.)

Finally passed by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

Recommendations of Government Efficiency and Labor Committee

Finally Passed

[MOU, Automotive Service Worker, Local 250-A]

Ordinance implementing the provisions of the Memorandum of Understanding between the Transport Workers Union, Local 250-A (7410 Automotive Service Worker) and the City and County of San Francisco awarded by the Arbitration Panel as amended. (Department of Human Resources)

File 93-95-36.1, Ordinance No. 223-95

Finally passed by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

[MOU, Local 200, SEAM]

Ordinance implementing the provisions of the Memorandum of Understanding between the Transport Workers Union, Local 200, SEAM and the City and County of San Francisco awarded by the arbitration panel as amended. (Department of Human Resources)

File 93-95-46, Ordinance No. 233-95

Finally passed by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

[MOU, Units 8-AA/8-BB/11-Z/11-CC, Local 250-A]

Ordinance implementing the provisions of the Memorandum of Understanding between the Transport Workers Union, Local 250-A, for Units 8-AA, 8-BB, 11-Z, 11-CC and the City and County of San Francisco awarded by the arbitration panel as amended. (Department of Human Resources)

File 93-95-47, Ordinance No. 234-95

Finally passed by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

NEW BUSINESS

Recommendation of Budget Committee

Adopted

[Redevelopment Agency Budget]

Resolution approving an Interim Budget of the Redevelopment Agency of the City and County for fiscal year 1995-1996. (Redevelopment Agency)

File 161-95-5, Resolution No. 539-95

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

Recommendation of Select Committee on Base Closures

Adopted

[Opposing HR 1530, Base Closure Property Use]

Resolution establishing the policy of the City and County to oppose amendments to HR 1530, the Defense Authorization Act, that would eliminate the ability of local communities to use base closure property to assist the homeless. (Supervisor Shelley)

File 13-95-19, Resolution No. 521-95

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

Recommendations of Health, Public Safety and Environment Committee

Adopted

[Patrol Special Police Officers]

Resolution urging the Mayor to urge the Police Commission to rescind the decision that revokes Peace Officer status and declare that San Francisco Patrol Special Police Officers are Peace Officers pursuant to Penal Code Section 830.1 and declare that Assistant Patrol Special Officers are Peace Officers pursuant to Penal Code Section 830.6 and declare that Assistant Patrol Police Officers shall be appointed by the Chief of Police and declare that San Francisco Police Officers and Assistant Patrol Special Police Officers shall be accountable for their conduct to the San Francisco Police Department and the Office of Citizen Complaints. (Supervisors Hallinan, Bierman, Alioto, Kennedy)

File 207-95-8, Resolution No. 545-95

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

In connection with the above item, Supervisor Kennedy requested to be added as co-sponsor.

[Civil Grand Jury Report - San Bruno Jail]

Motion directing the Clerk of the Board of Supervisors to submit comments on the recommendations of the 1994-95 Civil Grand Jury to the Presiding Judge of the Superior Court pertaining to County Jail No. 3 in San Bruno. (Health, Public Safety and Environment Committee)

File 39-95-3

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

Recommendations of Housing and Land Use Committee

Adopted

[Street Vacation - Mission Bay]

Resolution declaring intention of the Board of Supervisors to vacate a portion of Third Street in the Mission Bay Project area; adopting findings pursuant to City Planning Code Section 101.1; and finding

that the vacation is part of the Mission Bay Project for purposes of California Environmental Quality Act and readopting the Mission Bay findings; setting date of July 31, 1995 at 3:00 p.m. for public hearing. (Real Estate Department)

File 164-95-2, Resolution No. 540-95

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

[Liquor License, "Beyond Therapy", 340 Mason St.]

Resolution determining that the issuance of a beer and wine license to Beyond Therapy at the Mason Street Theater, will serve the convenience and necessity of the people of the City and County, in accordance with Section 23958.4 of the California Business and Professions Code. (Housing and Land Use Committee)

File 223-95-5, Resolution No. 542-95

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

[Liquor License, Pleasant Surprises]

Resolution determining that relocation of Pleasant Surprises Gift Basket Service from 579 Market Street to 88 First Street, Suite 502 will serve the convenience and necessity of the people of the City and County, in accordance with Section 23958.4 of the California Business and Professions Code. (Housing and Land Use Committee)

File 223-95-8, Resolution No. 543-95

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

#### Recommendations of Rules Committee

Adopted

[Appointment]

Resolution appointing member to the Lead Poisoning Prevention Citizens Advisory Committee, for the unexpired portion of the three-year term ending August 20, 1995. (Rules Committee)

File 92-94-40.2, Resolution No. 525-95

(Darnisha Wright, Seat No. 26607, representing the Housing Authority, vice Barbara Nabors-Glass, resigned.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

[Appointments]

Resolution clarifying Resolution 827-94 appointing alternate members to the Assessment Appeals Board. (Rules Committee)

File 92-94-46.1, Resolution No. 526-95

(Owen Brady, alternate member, Assessment Appeals Board No. 2.;  
Hayes D. Miles, alternate member, Assessment Appeals Board No. 2.;  
John McGary, alternate member, Assessment Appeals Board No. 2.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

[Appointments]

Resolution appointing members to the Ballot Simplification Committee, for new two year terms ending November 30, 1996. (Rules Committee)

File 92-94-49.1, Resolution No. 527-95

(John M. Ode11, Seat No. 21201, representing National Academy of Television Arts and Sciences, vice himself, term expired;

Nicholas DeLuca, Seat No. 21202, representing Northern California Broadcasters Association, vice himself, term expired.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

[Appointment]

Resolution appointing member to the Delinquency Prevention Commission, for new four year term ending December 31, 1998. (Rules Committee)

File 92-94-65, Resolution No. 528-95

(Belinda Fobbs-Johnson, Seat No. 21806, vice Glenn Eagleson, term expired.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

[Appointment]

Resolution appointing member to the Delinquency Prevention Commission, for new four year term ending December 31, 1999. (Rules Committee)

File 92-95-21, Resolution No. 538-95

(Elizabeth M. Youhn, Seat No. 21819, vice herself, term expiring June 30, 1995.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

[Appointments]

Resolution appointing members to the Mental Health Board, for new three-year terms ending January 31, 1998. (Rules Committee)

File 92-95-20, Resolution No. 537-95

(Anita Burton, Seat No. 50113, family member, vice Everett Brandon, term expired;

Lois A. Jones, Seat No. 50114, child advocate, vice herself, term expired;

Toye Moses, Seat No. 50115, health professional, vice Robin Cooper M.D., term expired.

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

Conference with Labor Negotiator - Collective Bargaining

Adopted

Motion that the Board of Supervisors convene in closed session with Wendell Pryor, Director of Human Resources, for the purpose of reviewing the City's position and instructing its designated representatives concerning collective bargaining negotiations involving all forms of compensation (including wages, hours, benefits, and working conditions), with all recognized employee organizations, as authorized by California Government Code Section 54957.6.

Supervisor Kaufman, seconded by Supervisor Bierman, moved adoption.

Motion adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

Conference with City Attorney - Litigation

Adopted

Motion that the Board of Supervisors convene in closed session with Deputy City Attorneys Paula Jesson, Buck Delventhal and Ted Lakey and with Dr. Mitchell Katz for the purpose of conferring or receiving advice from the City Attorney regarding the Attorney General's opinion advising counties may not lawfully operate a needle exchange program through a declaration of emergency, as authorized by California Government Code Section 54956.9.

Supervisor Kaufman, seconded by Supervisor Bierman, moved adoption.

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

Recess

The Board recessed at the hour of 2:46 p.m. to convene in closed session pursuant to above motion.

Reconvening of the Board

The Board, at the hour of 3:13 p.m. reconvened.

Calling the Roll

On call of the roll, the following Supervisors were noted present:

Supervisors Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

Quorum present.

Report on Closed Session

Deputy City Attorney Ted Lakey reported that the Board had met in closed session with the City's employee relations representatives as provided in the Government Code and the Board took no action.

Deputy City Attorney Ted Lakey reported that the Board had met in closed session with Deputy City Attorneys Paula Jesson, Buck Delventhal and Ted Lakey and with Dr. Mitchell Katz for the purpose of conferring or receiving advice from the City Attorney regarding the Attorney General's opinion advising counties may not lawfully operate a needle exchange program through a declaration of emergency, as authorized by California Government Code Section 54956.9. and the Board took no action.

Adopted

Motion that the Board of Supervisors finds that it is in the best interest of the public and elects not to disclose its closed session deliberations in pending employee relations negotiations and litigation.

Supervisor Kennedy, seconded by Supervisor Alioto, moved adoption.

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

Appointment of President Pro Tempore

At the request of the President, Supervisor Hallinan assumed the Chair so the President could participate in the debate from the floor.

SPECIAL ORDER - 3:00 P.M.



Hearing Held

[Public Hearing]

Hearing appealing decision of City Planning Commission by its Motion No. 13875, dated May 11, 1995, approving Conditional Use Application No. 93.586C, for conditional use authorization to allow construction of a Planned Unit Development containing up to 33 dwelling units in up to 16 separate buildings on a site approximately 22,665 square feet in size and proposing exceptions from Planning Code requirements for lot width, lot area, rear yard and permitted density, within an NC-2 Neighborhood Commercial District and also within the San Francisco Coastal Zone Area, and a 100 ft. Height and Bulk District on property located at 2900 Sloat Boulevard; Lots 1 and 2 in Assessor's Block 2516.

File 37-95-6

(Appeal filed June 9, 1995.)

The following persons were sworn in and granted privilege of the floor:

Appellants:

Marc Duffett; Margaret Burks; Calvin Welsh; John J. Parker; Vicki Duffett; Joe Adams; Bud Wilson; Eva Hue; Mrs. Stanley Stevens Newman; Joel Ventresca; Wende Chan; Stella Cahill; Peter Reich.

Respondents:

Bob Passmore, representing City Planning Commission and Department of City Planning; Wayne Hue; Quentin Eastman.

A rebuttal period was allowed.

The President then declared the hearing closed.

Consideration Continued

[Environmental Review]

Motion certifying review of Final Negative Declaration relating to proposed conditional use of property at 2900 Sloat Boulevard.

File 37-95-6.1

Supervisor Shelley, seconded by Supervisor Kennedy, moved to continue consideration to July 10, 1995.

Motion to continue adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

(Only one of the following two motions should be adopted.)

[Zoning Appeal, 2900 Sloat Boulevard]

Motion approving decision of the City Planning Commission by its Motion No. 13875, approving Conditional Use Application No. 93.586C, on property located at 2900 Sloat Boulevard; and adopting findings pursuant to City Planning Code Section 101.1.

File 37-95-6.2

Supervisor Shelley, seconded by Supervisor Kennedy, moved to continue consideration to July 10, 1995.

Motion to continue adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

[Zoning Appeal, 2900 Sloat Boulevard]

Motion disapproving decision of the City Planning Commission by its Motion No. 13875, approving Conditional Use Application No. 93.586C, on property located at 2900 Sloat Boulevard; and adopting findings pursuant to City Planning Code Section 101.1.

File 37-95-6.3

Supervisor Shelley, seconded by Supervisor Kennedy, moved to continue consideration to July 10, 1995.

Motion to continue adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

**Findings]**

Motion directing the Clerk of the Board of Supervisors to prepare findings relating to proposed Conditional Use Application No. 93.586C, on property located at 2900 Sloat Boulevard, for action by the Board at its next meeting.

File 37-95-6.4

Supervisor Shelley, seconded by Supervisor Kennedy, moved to continue consideration to July 10, 1995.

Motion to continue adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

The President resumed the Chair.

SPECIAL ORDER - 3:00 P.M.

Hearing Held;  
Consideration Continued

**[Public Hearing]**

Hearing of persons interested in or objecting to proposed ordinance to decreasing Payroll Expense Tax rate for businesses with total payroll expenses not exceeding \$333,333 and to increase Payroll Expense Tax rate for businesses with total payroll expenses exceeding \$6,666,667 and to decrease the Business Tax on Gross Receipts not exceeding specified amounts and to increase the Business tax on gross receipts exceeding specified amounts and to lower the qualifying maximum for the exemption to the Payroll Expense and Business Taxes, operative January 1, 1996.

File 127-95-4

(Fiscal Impact.)

(Amends Sections 903.1, 905-A and 1005.3;  
Adds Section 1004.19.)

(A second hearing as required by State law will be held on July 31, 1995.)

The privilege of the floor was granted to the following persons:

In Opposition: Rhea Sirpan; Richard Essey; Pat Christensen; John David; Frank Fudem; Leann Wang; John Lupus; Darcie; Terry Hammigan; John Dewes; Les Henson; Mark Mosher; Jim Fabris; Bill Allen.

In Support: Marc Norton; Shaira Goldstein; Keith McHenry; Joe Lacey; Michael Hillson; Andy Sekara; Bill Hirsch; Norman Rolfe; Sasha Magee; Joel Ventresca; Donna Goush; Pat Wynne-Evans; Tom Gallagher; Steve Neoni; Phyllis Spanglet; Robert Ladham; Elsie; Bob Asker; David Sperio; Greg Gar; Al Rose Smith; Alan Bruce; Peter Donohue; Nan McGuire.

No Position: Margaret Brodikin.

Supervisor Kennedy, seconded by Supervisor Teng, moved to continue consideration to July 31, 1995.

Motion to continue adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Kaufman, Kennedy, Leal, Teng - 6.

Absent: Supervisors Alioto, Hallinan, Hsieh, Migden, Shelley - 5.

SPECIAL ORDER - 3:00 P.M.

Hearing Held;  
Consideration Continued

**[Public Hearing]**

Hearing of persons interested in or objecting to proposed ordinance which would increase the Transient Occupancy Tax Surcharge from 2.75 percent to 4.75 percent, and to increase the Transient Occupancy Tax in certain Redevelopment Project Areas from 12 percent to 14 percent, operative October 1, 1995.

File 127-95-5

(Fiscal Impact.)

(Amends Sections 502.5, 5092.8.)

(A second hearing as required by State law will be held on July 31, 1995.)

The privilege of the floor was granted to the following persons:

In Opposition: Rhea Sirpan; Richard Essey; Pat Christensen; John David; Frank Fudem; Leann Wang; John Lupus; Darcie; Terry Hammigan; John Dewes; Les Henson; Mark Mosher; Jim Fabris; Bill Allen.

In Support: Marc Norton; Shaira Goldstein; Keith McHenry; Joe Lacey; Michael Hillson; Andy Sekara; Bill Hirsch; Norman Rolf; Sasha Magee; Joel Ventresca; Donna Goush; Pat Wynne-Evans; Tom Gallagher; Steve Neoni; Phyllis Spanglet; Robert Ladham; Elsie; Bob Asker; David Sperio; Greg Gar; Al Rose Smith; Alan Bruce; Peter Donohue; Nan McGuire.

No Position: Margaret Brodtkin.

Supervisor Kennedy, seconded by Supervisor Teng, moved to continue consideration to July 31, 1995.

Motion to continue adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Kaufman, Kennedy, Leal, Teng - 6.

Absent: Supervisors Alioto, Hallinan, Hsieh, Migden, Shelley - 5.

SPECIAL ORDER - 3:00 P.M.

Hearing Held;  
Consideration Continued

[Public Hearing]

Hearing of persons interested in or objecting to the proposed ordinance (Real Property Transfer Tax Ordinance) to increase the tax rate to \$7.50 from \$3.75 for each \$500 of consideration or value of the property conveyed for transfers in which the consideration or value of the property conveyed exceeds \$1,000,000, and to clarify the City and County's authority to increase the tax rate under existing law; setting operative date of October 9, 1995.

File 127-95-8

(Fiscal Impact.)

(Amends Sections 1101 and 1102 of Article 12C.)

(A second hearing as required by State law will be held on July 31, 1995.)

The privilege of the floor was granted to the following persons:

In Opposition: Rhea Sirpan; Richard Essey; Pat Christensen; John David; Frank Fudem; Leann Wang; John Lupus; Darcie; Terry Hammigan; John Dewes; Les Henson; Mark Mosher; Jim Fabris; Bill Allen.

In Support: Marc Norton; Shaira Goldstein; Keith McHenry; Joe Lacey; Michael Hillson; Andy Sekara; Bill Hirsch; Norman Rolf; Sasha Magee; Joel Ventresca; Donna Goush; Pat Wynne-Evans; Tom Gallagher; Steve Neoni; Phyllis Spanglet; Robert Ladham; Elsie; Bob Asker; David Sperio; Greg Gar; Al Rose Smith; Alan Bruce; Peter Donohue; Nan McGuire.

No Position: Margaret Brodtkin.

Supervisor Kennedy, seconded by Supervisor Teng, moved to continue consideration to July 31, 1995.

Motion to continue adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Kaufman, Kennedy, Leal, Teng - 6.

Absent: Supervisors Alioto, Hallinan, Hsieh, Migden, Shelley - 5.

Monday, June 26, 1995

SPECIAL ORDER 3:00 P.M.

From the President

Consideration Continued

Report by the Chief Administrative Officer to explain the Courthouse construction and all construction contracts planned. (Supervisor Kennedy)

File 186-95-6

Supervisor Kennedy, seconded by Supervisor Teng, moved to continue consideration to July 10, 1995.

Motion to continue adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Kaufman, Kennedy, Leal, Teng - 6.

Absent: Supervisors Alioto, Hallinan, Hsieh, Migden, Shelley - 5.

SPECIAL ORDER 4:00 P.M.

Hearing Held

[Public Hearing]

Hearing of all persons interested in or objecting to the proposed Budget and proposed Annual Appropriation Ordinance for fiscal year 1995-96.

File 100-95-1

The privilege of the floor was granted to the following persons:

Cati A. Okorie; Joe Warren.

PUBLIC COMMENT

The privilege of the floor was granted to the following persons:

Greg Gar, supports Recreation and Park road closure plan;  
Michael Olsen, Recreation and Park road closure plan safety;  
Virginia Conway, parking lot, 16th and Treat Streets, use for senior citizen housing.

There being no one else present wishing to speak, the President declared the public comment portion of the meeting closed.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures were introduced at a prior meeting of the Board with action requested at this meeting. Any Supervisor may require these measures to go to committee unless a motion to suspend the rules is adopted by eight votes (or a unanimous vote if only six or seven members are present). An "aye" vote is (a) a vote in favor of suspending the rule requiring reference to committee, and (b) a vote in favor of adoption of the measures. Eight votes (or a unanimous vote if only six or seven members are present) is required.

Severed From For Adoption Without Committee Reference Calendar

Supervisor Kennedy, requested that the following measure be severed from the For Adoption Without Committee Reference Calendar and considered separately.

Tabled

[BART to the Airport Funding]

Resolution urging the Mayor to request the Airports Commission to work with the Air Transit Association to encourage them to cease opposing the passage of funds for the BART to Airport. (Supervisors Kennedy, Shelley, Alioto, Hallinan)

File 027-95-010, Resolution No.

(June 19, 1995 - Introduced in Board for consideration on June 26, 1995.)

Supervisor Kennedy, seconded by Supervisor Leal, moved to table.

Tabled by the following vote:

Ayes: Supervisors Ammiano, Bierman, Kaufman, Kennedy, Leal, Teng - 6.

Absent: Supervisors Alioto, Hallinan, Hsieh, Migden, Shelley - 5.

In connection with the above item, Supervisor Hallinan requested to be added as co-sponsor.

Severed From For Adoption Without Committee Reference Calendar

Supervisor Kennedy requested that the following measure be severed from the For Adoption Without Committee Reference Calendar and considered separately.

Tabled

[Needle Exchange Program, Reaffirm Support]

Resolution re-affirming the policy of the City and County of San Francisco to support a formal Needle Exchange Program under the guidance of the San Francisco Department of Public Health. (Supervisors Alioto, Ammiano, Hallinan)

File 030-95-012, Resolution No.

Supervisor Ammiano, seconded by Supervisor Teng, moved to table.

Tabled by the following vote:

Ayes: Supervisors Ammiano, Bierman, Kaufman, Kennedy, Leal, Teng - 6.

Absent: Supervisors Alioto, Hallinan, Hsieh, Migden, Shelley - 5.

Severed From For Adoption Without Committee Reference Calendar

Supervisor Bierman requested that the following measure be severed from the For Adoption Without Committee Reference Calendar and considered separately.

Adopted

[California Winter Storms of 1995 Emergency]

Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the California Winter Storms of 1995. (Supervisors Shelley, Teng)

File 270-95-003.07

(June 19, 1995 - Introduced in Board for consideration on June 26, 1995.)

Adopted by the following vote:

Ayes: Supervisors Ammiano, Hsieh, Kaufman, Kennedy, Leal, Teng - 6.

Absent: Supervisors Alioto, Bierman, Hallinan, Migden, Shelley - 5.

The Board thereupon resumed its consideration of the following items on the For Adoption Without Committee Reference Calendar.

For Adoption Without Committee Reference Calendar

Adopted

[Child Welfare Restructuring]

Resolution expressing opposition of Child Welfare restructuring and realignment as part of the State of California's budget process for fiscal year 1995-1996 and encouraging the City and County Lobbyist in Sacramento and the State Legislators to cooperate in this effort. (Supervisors Kennedy, Bierman)

File 012-95-041, Resolution No. 529-95

(June 19, 1995 - Introduced in Board for consideration on June 26, 1995.)

Adopted.

In connection with the above item, Supervisor Bierman requested to be added as co-sponsor.

[Domestic Violence, SB 591, SB 1230, AB 1973]

Resolution supporting passage of SB 591, SB 1230 and AB 1973 relating to domestic violence. (Supervisors Kaufman, Shelley, Alioto, Bierman)

File 012-95-042, Resolution No. 530-95

(June 19, 1995 - Introduced in Board for consideration on June 26, 1995.)

Adopted.

In connection with the above item, Supervisor Bierman requested to be added as co-sponsor.

[Lesbian and Gay Historical Records/Materials]

Resolution urging the Librarian to preserve and retain important Lesbian and Gay Community records, materials and documents whenever possible. (Supervisors Ammiano, Alioto)

File 197-95-007, Resolution No. 541-95

(June 19, 1995 - Introduced in Board for consideration on June 26, 1995.)

Adopted.

[R.O.T.C. Program]

Resolution urging the San Francisco Board of Education to terminate and replace J.R.O.T.C. programs in San Francisco schools with alternative, career creating programs which teach genuine self-respect and leadership. (Supervisors Ammiano, Bierman)

File 211-95-004, Resolution No. 544-95

(June 19, 1995 - Introduced in Board for consideration on June 26, 1995.)

Adopted.

In connection with the above item, Supervisor Bierman requested to be added as co-sponsor.

[Needle Exchange Emergency]

Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program. (Supervisors Alioto, Leal, Bierman, Shelley, Migden)

File 030-95-001.13

(June 19, 1995 - Introduced in Board for consideration on June 26, 1995.)

Adopted.

The foregoing items on the For Adoption Without Committee Reference Calendar were adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Kaufman, Kennedy, Leal, Teng - 6.

Absent: Supervisors Alioto, Hallinan, Hsieh, Migden, Shelley - 5.

#### IMMEDIATE ADOPTION CALENDAR

These measures are being introduced at this meeting. A unanimous vote is required for adoption today. Any Supervisor may require any of these measures to go to committee.

[Leaves of Absence]

Resolution granting leaves of absence to various city and county officers with permission to leave the state. (Clerk of the Board)

File 1-95-25, Resolution No. 546-95

(Tom Ammiano, member, Board of Supervisors, July 3 - 5; Sue Bierman, member, Board of Supervisors, July 1 - 9; Willie B. Kennedy, member, Board of Supervisors, June 30 - July 2 and July 21 - 26; Mabel Teng, member, Board of Supervisors, August 17 - September 4; Larry Mazzola, Member, Airports Commission, June 22 - 25, 1995.)

Adopted.

The foregoing item on the Immediate Adoption Calendar was adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Kaufman, Kennedy, Leal, Teng - 6.

Absent: Supervisors Alioto, Hallinan, Hsieh, Migden, Shelley - 5.

IMPERATIVE CALENDAR

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the following two motions.

Adopted

[Purely Commendatory Finding]

Motion that the Board find by roll call vote that the resolutions being considered at this time are purely commendatory.

Supervisor Leal, seconded by Supervisor Ammiano, moved adoption.

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Kaufman, Kennedy, Leal, Teng - 6.

Absent: Supervisors Alioto, Hallinan, Hsieh, Migden, Shelley - 5.

[Brown Act Finding]

Motion that the Board find by roll call vote that for the resolutions being considered at this time there is a need to take immediate action and the need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

Supervisor Leal, seconded by Supervisor Ammiano, moved adoption.

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Kaufman, Kennedy, Leal, Teng - 6.

Absent: Supervisors Alioto, Hallinan, Hsieh, Migden, Shelley - 5.

[Imperative Resolutions, if any]

Adopted

[Commend Volunteers, Visiting Nurses/Hospice]

Resolution commending the Volunteers of Visiting Nurses and Hospice of San Francisco and declaring June 28, 1995 Visiting Nurses and Hospice Volunteer Appreciation Day.

File 006-95-064, Resolution No. 547-95

Supervisors Leal, Bierman presented for immediate adoption.

Resolution adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Kaufman, Kennedy, Leal, Teng - 6.

Absent: Supervisors Alioto, Hallinan, Hsieh, Migden, Shelley - 5.

OFF-CALENDAR LEGISLATION

ROLL CALL FOR INTRODUCTION OF MEASURES AND COMMUNICATIONS  
NOT CONSIDERED OR REPORTED ON BY COMMITTEE

Referred to Committee

[Special Election, Bond Measures]

Ordinance calling and providing for a Special Election to be held in the City and County on Tuesday, November 7, 1995, for the purpose of submitting to the voters of the City and County propositions to incur the following bonded debts of the City and County for the acquisition, construction or completion by the City and County of the following municipal improvements, to wit: \$63,590,000; \$29,245,000 and \$44,100,000 for acquisition, construction and/or reconstruction of certain improvements to City Hall, Steinhart Aquarium and related facilities and structures and to underground storage tanks owned by City and County; that estimated cost of said improvements is and will be too great to be paid out of ordinary annual income and revenue will require expenditures greater than the amount allowed by annual tax levy; reciting estimated costs of manner of holding such election and procedure for voting for or against the propositions; fixing maximum rate of interest on said bonds and providing for levy and collection of taxes to pay both principal and interest; prescribing notice to be given of such election; consolidating the Special Election with the General Election; and providing that the election precincts, voting places and officers for election shall be the same as for such General Election. Supervisors Shelley, Hsieh, Kaufman, Alioto, Migden, Hallinan, Ammiano presented. Referred to Budget Committee.

File 060-95-005.

[Appropriation, Department of Public Works]

Ordinance appropriating \$200,000 to Department of Public Works of parking revenue to capital improvement project (Clay/Washington parcel rezoning). Supervisor Shelley presented. Referred to Budget Committee with request it be considered July 12, 1995.

File 101-95-003.

Referred to Board

[Commend Judge Donna Hitchens]

Resolution commending San Francisco Superior Court Judge Donna J. Hitchens on being honored by the National Council of Juvenile and Family Court judges as the 1995 recipient of their award for meritorious service to the Juvenile Courts of America. Supervisor Leal presented. Referred to Board for Adoption Without Committee Reference Calendar July 10, 1995.

File 006-95-063.

[Commend Charlie Mallon]

Resolution commending Charlie Mallon for a lifetime career in the physical fitness industry, serving the citizens of San Francisco and wishing him good health, peace and happiness in his retirement. Supervisor Bierman presented. Referred to Board for Adoption Without Committee Reference Calendar July 10, 1995.

File 006-95-065.

Referred to Committee

[Family Immigration Provisions]

Resolution opposing House and Senate proposals to prohibit the entry into the United States of the adult children, brothers and sisters of U.S. citizens as family immigrants. Supervisors Teng, Leal presented. Referred to Economic Vitality/Social Policy Committee.

File 013-95-020.

[Wells Fargo Branch Closure]

Resolution urging Wells Fargo Bank not to close or severely reduce its banking operations at the Bush and Divisadero Streets branch and place the Western Addition Coalition petitions in said bank's Community Reinvestment Act file. Supervisor Hallinan presented. Referred to Economic Vitality/Social Policy Committee.

File 176-95-009.



[Golden Gate Park Master Plan]

Resolution urging the Mayor to urge the Recreation and Park Commission to reject the recommended closure of the Sunset Boulevard entrance to Golden Gate Park and the prohibition of left turns eastbound from Crossover Drive onto Martin Luther King, Jr. Drive as outlined in the Circulation Plan, Objective III, of the Golden Gate Park Master Plan proposal. Supervisors Alioto, Shelley presented. Referred to Health/Public Safety/Environment Committee with request it be considered at the July 6, 1995 meeting.

File 193-95-002.

[Public Housing]

Resolution urging the Housing Authority to adopt a one-for-one on site replacement of all public housing demolished or revitalized in the City and County and urging Housing and Urban Development to investigate the Housing Authority labor relations and new management positions. Supervisor Kennedy presented. Referred to Economic Vitality/Social Policy Committee.

File 206-95-004.

Referred to Board

[Lesbian and Gay Pride Month]

Resolution urging the City Council of the City of Alameda to join with other Bay Area communities in recognizing Lesbian and Gay Pride Month during the month of June 1995. Supervisor Ammiano presented. Referred to Board for Adoption Without Committee Reference Calendar July 10, 1995.

File 250-95-001.

Motions:

Referred to Committee

[Ballot Measure, Taxicab Regulation Ordinance]

Motion ordering submission of an ordinance requiring the Board of Supervisors to set both the amount that a taxicab operator may charge a taxicab driver for the use of the taxicab and the amount that a taxicab permit holder may charge an operator for use of the taxicab permit; mandating all taxicabs belong to a citywide centralized dispatch service and directs corporations holding taxicab permits to surrender their permits over a three-year period unless they apply for and are granted permission to have the corporate permits reissued in the name of a natural person; providing for issuance of peaktime and wheelchair accessible permits, requires that permit applicants hold valid drivers' permits as a condition to remain on the waiting list, imposes driving requirements to be met before a taxicab permit is issued, modifies annual driving requirements for taxicab permit holders and demands periodic safety inspections of taxicabs. Supervisor Bierman presented. Referred to Government Efficiency/Labor Committee with request it be considered at the July 11, 1995 meeting.

File 060-95-006.

Introduced by the President at the Request of Departments

Ordinances Referred to Committee

File 065-95-005. [Sublease Amendment, 25 Van Ness Avenue] Ordinance authorizing and approving an amendment of sublease of City-owned property at 25 Van Ness Avenue, portion of lower level (Lot 4, Block 834) to the New Conservatory Children's Theatre Company and School, a non-profit corporation, commencing retroactively on May 15, 1995. (Real Estate Department) Referred to Government Efficiency/Labor Committee.

File 106-95-004. [Compensation, Superior Court, FY 1995-96] Substitute ordinance setting schedules of compensation and other economic benefits for certain classifications of persons employed by the Superior Court for the City and County of San Francisco. (Superior Court) Referred to Government Efficiency/Labor Committee.

File 106-95-007. [Compensation, Superior Court, FY 1995-96] Ordinance setting schedules of compensation and other economic benefits for certain classifications of persons employed by the Superior Court for the City and County of San Francisco. (Superior Court) Referred to Government Efficiency/Labor Committee.

Resolutions Referred to Committee

File 025-95-017. [Prop J Contract, Laundry Services] Resolution concurring with the Controller's certification that the laundry processing services can be practically performed for the Department of Public Health, San Francisco General Hospital, by private contractor for a lower cost than similar work services performed by City and County employees. (Department of Public Health) Referred to Government Efficiency/Labor Committee.

File 025-95-018. [Contract Out, Body Removal Services] Resolution concurring with the Controller's certification that body removal services for the Medical Examiner's Office can be practically performed by private contractor for lower cost than similar work services performed by City and County employees. (Chief Medical Examiner-Coroner) Referred to Government Efficiency/Labor Committee.

File 030-95-011. [Patient Day Rates, Fiscal Year 1995-96] Resolution fixing patient day rates for services furnished by City and County health care institutions and rescinding Resolution No. 664-94. (Department of Public Health) Referred to Budget Committee.

File 038-95-004. [Gift Acceptance, Recreation and Park] Resolution accepting one gift valued at \$50,000.00, for use by the Recreation and Park Department. (Recreation and Park Department) Referred to Government Efficiency/Labor Committee.

File 089-95-003. [SDI Coverage, 3426 Urban Forester] Resolution authorizing enrollment of Classification(s) 3426 Urban Forester in the State Disability Insurance Program. (Department of Human Resources) Referred to Government Efficiency/Labor Committee.

File 130-95-001. [Grant - State, Adult Probation Drug Abatement] Resolution authorizing the Adult Probation Office of the City and County of San Francisco to apply for, accept and expend funds in the amount of \$177,677 which includes indirect costs in the amount of \$8,883 based on five percent of the total project, made available through the Office of Criminal Justice Planning for a project entitled "San Francisco Adult Probation's Drug Abatement Project." (Adult Probation Department) Referred to Government Efficiency/Labor Committee.

File 138-95-003. [Grant - State, Victim Witness Assistance Program] Resolution authorizing the District Attorney of the City and County of San Francisco to apply for, accept and expend funds in the amount of \$56,989 available through the Office of Criminal Justice Planning for a project entitled "Special Emphasis Victim Witness Assistance Program" for the twelve month period July 1, 1995 through June 30, 1996, and waiving indirect cost due to funding restraints. (District Attorney) Referred to Government Efficiency/Labor Committee.

File 143-95-001. [Grant - State, Anti-Drug Abuse Enforcement] Resolution authorizing the Chief of Police of the City and County of San Francisco to apply for retroactively, accept and expend funds in the amount \$148,997, which includes indirect costs of \$7,450 based on five percent of the total grant award, for continual funding for a project entitled "Anti-Drug Abuse Enforcement Program". (Police Department) Referred to Government Efficiency/Labor Committee.

File 172-95-029. [Hold Harmless Provision to Mutual Aid Agreement] Resolution authorizing the Director of Public Transportation to execute an indemnification and hold harmless provision with the San Francisco Bay Area Transit Operators who are parties to a Mutual Aid Agreement. (Public Transportation Commission) Referred to Government Efficiency/Labor Committee.

#### Requests Granted

There being no objection, the Board directed the Clerk to comply with the following requests:

By Supervisor Migden, that City Attorney prepare appropriate legislation which would create a Cryptosporidium Task Force, who would create a regular system of notifying the public about risks from the parasite in the water supply and specifically addressing the special concerns of the immune compromised community; that the task force be created by August 1, 1995 and have guidelines in place by October 16, 1995 and that it be abolished when the guidelines are in place, consisting of 14 members from the Public Utilities Commission, Department of Public Health, State Department of Health Services, environmental health expert, water expert, epidemiologist, representative from the Board of Supervisors, representative from the Mayor's Office, member of the AIDS community, member of the cancer community, health care provider and three doctors/nurses with expertise in cryptosporidium.

By Supervisor Hallinan, that City Attorney draft ordinance amending Part III, Municipal Code, Section 302A, extending the duration of the temporary stadium operator admission tax by five years.

#### Motions Adopted

Motion that the Board adjourn its meeting this date out of respect to the memory of the following deceased:

William Davis, Jr. (Supervisor Kennedy)  
Mary King (Supervisor Bierman)  
John Mitchell (Supervisor Leal)  
Hsuan Hua (Supervisor Teng)

File 2-95-25

Unanimously adopted by a rising vote.

ADJOURNMENT

There being no further business, the Board at the hour of 6:17 p.m. adjourned.

John L. Taylor, Clerk

N.B. This Journal of Proceedings sets forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on August 28, 1995.

I, John L. Taylor, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Journal of Proceedings of said Board on the date stated and was approved as recited.

John L. Taylor  
Clerk of the Board of Supervisors



Monday, July 10, 1995

# **Journal of Proceedings**

*The Minutes of the*

## **Board of Supervisors**

City and County of San Francisco

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JOURNAL OF PROCEEDINGS

BOARD OF SUPERVISORS

\_\_\_\_\_  
Monday, July 10, 1995 - 2:00 p.m.  
\_\_\_\_\_

The Board of Supervisors of the City and County of San Francisco met in regular session on the above date with President Kevin Shelley presiding.

CALLING THE ROLL

The meeting was called to order at 2:18 p.m. On call of the roll, the following Supervisors were noted present:

Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

Quorum present.

APPROVAL OF JOURNALS

There being no errors, corrections or omissions, Supervisor Hallinan, seconded by Supervisor Migden, moved that the Journals of Proceedings for Monday, May 1, May 8, and May 15, 1995, be approved.

Motion carried by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

COMMUNICATION

The Clerk presented the following communication from the Mayor returning the following resolution.

June 30, 1995

The Honorable Kevin Shelley  
President, Board of Supervisors  
City and County of San Francisco  
401 Van Ness Ave., 3rd Floor  
San Francisco, CA 94102

Dear Supervisor Shelley:

I am returning with my veto the Board's resolution "disapproving abandonment of service on municipal trolley coach line 8-Market in conjunction with inauguration of F-Market streetcar service" (File 7-95-4.1).

I understand the issues that caused the Board to disapprove the abandonment of the 8-Market line have since been resolved (see attached Muni/Local 250-A agreement). According to Deputy City Attorney Ted Lakey, the most efficient way for the Transportation Commission to proceed with its plans to abandon the 8-Market line is for me to veto this resolution and for the Board to sustain my veto.

Sincerely

Frank M. Jordan  
Mayor

Consideration of Mayor's Veto

Refused Adoption; Mayor's Veto Sustained

[Public Transportation]  
Resolution disapproving abandonment of service on Municipal Railway Trolley Coach Line 8-Market in conjunction with inauguration of F-Market Streetcar service. (Public Transportation Commission)

File 7-95-4.1, Resolution No.

(June 19, 1995 - Adopted.  
June 30, 1995 - Returned to Board by Mayor, disapproved.)

(Pursuant to Board of Supervisors Rule 2.9a, the Board shall not reconsider the legislation until the first meeting after the message from the Mayor is read to the Board. This rule may be suspended by six votes.)

Suspension of Rules

Supervisor Ammiano, seconded by Supervisor Hallinan, moved to suspend the Rules of Order in order to take up this matter today.

Motion to suspend the rules adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

The roll was then called on the pending resolution and it was refused adoption by the following vote:

Noes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

CONSENT CALENDAR

Recommendations of Government Efficiency and Labor Committee

Passed for Second Reading

[Settlement of Litigation, Morgan/Pearsall]

Ordinance authorizing settlement of litigation of Dianne Morgan and Jerry Pearsall against the City and County by payment of \$10,000. (City Attorney)

File 45-95-21, Ordinance No.

(Superior Court No. 956-583.)

Passed for second reading.

[Bush-Polk Garage Lawsuit Settlement]

Ordinance approving the settlement of Insurance Company of North America v. City and County, regarding the construction of the Bush-Polk Garage. (Department of Parking and Traffic)

File 45-95-22, Ordinance No.

(USDC Northern District of California, Case No. C94-03845.)

Passed for second reading.

[Bayshore Sanitary District v. CCSF]

Ordinance authorizing the Mayor and the City Attorney to execute a Joint Exercise of Powers Agreement for sewer services between the City and County and the Bayshore Sanitary District in settlement of litigation and to dismiss all litigation claims with respect thereto. (City Attorney)

File 45-95-23, Ordinance No.

(Santa Clara Superior Court No. CV 740514.)

Passed for second reading.

Adopted

[Mutual Aid Agreement, Water Agencies]

Resolution authorizing the General Manager of the Public Utilities Commission to execute an updated Mutual Aid Agreement with other water agencies in the State Office of Emergency Services Region 2. (Public Utilities Commission)



File 172-95-22, Resolution No. 559-95

Adopted.

The foregoing items on the Consent Calendar were acted upon by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

REGULAR CALENDAR

UNFINISHED BUSINESS

From the Clerk

Adopted

[Environmental Review]

Motion certifying review of Final Negative Declaration relating to proposed conditional use of property at 2900 Sloat Boulevard.

File 37-95-6.1

(June 26, 1995 - Consideration continued to July 10, 1995.)

Suspension of Rules

Supervisor Alioto, seconded by Supervisor Bierman, moved to suspend Rule 2.21 of the Rules of Order to grant privilege of the floor to one person from each side of the issue.

Motion to suspend the rules adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

Wayne Hu and Marc Duffett reported on the status of meetings between the developer and concerned neighbors.

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

Appointment of President Pro Tempore

At the request of the President, Supervisor Leal assumed the Chair so the President could participate in the debate from the floor.

Tabled

[Zoning Appeal, 2900 Sloat Boulevard]

Motion approving decision of the City Planning Commission by its Motion No. 13875, approving Conditional Use Application No. 93.586C, on property located at 2900 Sloat Boulevard; and adopting findings pursuant to City Planning Code Section 101.1.

File 37-95-6.2

(June 26, 1995 - Consideration continued to July 10, 1995.)

Supervisor Shelley, seconded by Supervisor Ammiano, moved to table.

Tabled by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

Adopted as Amended

[Zoning Appeal, 2900 Sloat Boulevard]  
Motion disapproving decision of the City Planning Commission by its Motion No. 13875, approving Conditional Use Application No. 93.586C, on property located at 2900 Sloat Boulevard and approving granting a conditional use permit subject to conditions imposed by City Planning Commission and additional conditions; and adopting findings pursuant to City Planning Code Section 101.1.

File 37-95-6.3

(June 26, 1995 - Consideration continued to July 10, 1995.)

Supervisor Shelley, seconded by Supervisor Alioto, moved to amend title, line 4, after "Boulevard" by inserting "and approving granting a conditional use permit subject to conditions imposed by City Planning Commission and additional conditions and"; amend line 18, after "disapproved" by adding "; and be it further moved, That the Board of Supervisors approves granting a conditional use permit subject to conditions imposed by City Planning Commission by its Motion No. 13875, dated May 11, 1995 with the following additional conditions:

- A. The project shall be no more than 32 feet in height;
- B. The project shall have no more than 28 units, including six below market rate units;
- C. All driveways on Sloat shall be removed and all garage entries on Sloat shall be relocated. In achieving the goal of traffic safety along Sloat Boulevard, driveways are being relocated to the back of the buildings fronting on Sloat Boulevard, necessitating deviations from the Planning Code requirements for unobstructed rear yards and for usable open space."

Motion to amend adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

Adopted as amended by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

Adopted

[Findings]

Motion directing the Clerk of the Board of Supervisors to prepare findings relating to proposed Conditional Use Application No. 93.586C, on property located at 2900 Sloat Boulevard, for action by the Board at its next meeting.

File 37-95-6.4

(June 26, 1995 - Consideration continued to July 10, 1995.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

The President resumed the Chair.

NEW BUSINESS

Recommendations of Budget Committee

Consideration Continued

[Annual Budget]

Annual Budget for the City and County of San Francisco for fiscal year 1995-96. (Mayor)

File 100-95-1

(Administrative Code Section 3.5 provides the Board shall adopt the budget not earlier than July 15 nor later than July 26, 1995.)

Supervisor Hsieh, Chair of the Budget Committee, presented the Committee's Budget Statement to the Board of Supervisors, dated July 10, 1995 (see file for the full content of the statement which is contained in the Office of the Clerk of the Board of Supervisors).

He stated the Committee has carefully reviewed each line item expenditure contained in the Mayor's recommended budget in order to identify expenditures which could be reduced without reducing service levels. This task took on even greater significance, given the Mayor's withdrawal of the PRIDE proposal, since the Committee then made, as one of its primary objectives, bringing back the General Fund Reserve to its originally submitted prudent level of \$10 million.

The budget submitted by the Budget Committee includes total reductions of approximately \$14.9 million from the budget submitted by the Mayor.

Of the \$14.9 million in budget reductions, approximately \$8.9 million is from General Fund appropriations. Additionally, the budget, as recommended by the Budget Committee, includes reserves on appropriations of approximately \$5.1 million. These reserves will be released, and expenditures allowed, only after further information is submitted to the Committee.

Supervisor Hsieh, seconded by Supervisor Kaufman, moved to continue consideration to July 17, 1995.

Motion to continue adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Leal, Migden, Shelley, Teng - 10.

Absent: Supervisor Kennedy - 1.

[Annual Appropriation Ordinance, Fiscal Year 1995-96]

Ordinance appropriating all estimated receipts and all estimated expenditures for the City and County of San Francisco for fiscal year ending June 30, 1996; companion measure to File 100-95-1. (Human Resources Department)

File 101-95-2, Ordinance No.

(Fiscal Impact.)

(Administrative Code Section 3.5 provides the Board shall not act on this ordinance earlier than July 15, 1995.)

Supervisor Hsieh, seconded by Supervisor Kaufman, moved to continue consideration to July 17, 1995.

Motion to continue adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Leal, Migden, Shelley, Teng - 10.

Absent: Supervisor Kennedy - 1.

[Annual Salary Ordinance]

Ordinance enumerating positions in the Annual Budget and Appropriation Ordinance for the fiscal year ending June 30, 1996, continuing, creating or establishing these positions; enumerating and including therein all positions created by Charter or State law for which compensations are paid from City and County funds and appropriated in the Annual Appropriation Ordinance; authorizing appointments or continuation of appointments thereto; specifying and fixing the compensations and work schedules thereof; and authorizing appointments to temporary positions and fixing compensations thereof; companion measure to Files 100-95-1 and 101-95-2. (Human Resources Department)

File 102-95-2, Ordinance No.

(Fiscal Impact.)

Supervisor Hsieh, seconded by Supervisor Kaufman, moved to continue consideration to July 17, 1995.

Motion to continue adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Leal, Migden, Shelley, Teng - 10.

Absent: Supervisor Kennedy - 1.

Monday, July 10, 1995

Recommendations of Government Efficiency and Labor Committee

Passed for Second Reading

[Lease Modification, American Air Lines]

Ordinance approving, retroactively, Modification No. 6 of Lease and Use Agreement between American Airlines, Inc. and City and County, acting by and through its Airports Commission. (Airports Commission)

File 27-95-8, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 10.

Absent: Supervisor Ammiano - 1.

Adopted as Amended

[Proposition 184, "Three Strikes"]

Resolution urging the District Attorney to exercise his prosecutorial discretion under California Penal Code Sections 1170.12 and 1385 to move or dismiss or strike the pleading of prior felony convictions in cases where a "Strike" is not a violent felony. (Supervisors Hallinan, Teng, Ammiano, Bierman, Alioto, Kennedy)

File 12-95-37.1, Resolution No. 555-95

Supervisor Hallinan, seconded by Supervisor Kennedy, moved to amend page three, line seven, by inserting the following: "Whereas, California spends \$4,200 to educate a child for one year and \$32,000 per year to house juvenile offenders in the California Youth Authority; and".

Motion to amend adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

Adopted as amended by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

In connection with the above item, Supervisors Ammiano, Bierman, Alioto, Kennedy requested to be added as co-sponsors.

Adopted

[Supporting Position on Senate Bill 877]

Resolution supporting Senate Bill 877, a bill authorizing the Bay Area electorate to impose up to 10 cent per gallon tax on motor fuel sold in Bay Area counties. (Public Transportation Commission)

File 12-95-39, Resolution No. 556-95

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

[Federal Grant - Airports]

Resolution authorizing Airports Commission to file application, and accept and expend grant of \$21,197,431 from Federal Aviation Administration for assistance in improvements at the Airport (Airport Improvement Program No. 10); placing \$21,197,431 on reserve. (Airports)

File 27-95-9, Resolution No. 557-95

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

[Disaster Relief Funds]

Resolution authorizing the General Manager of the Public Utilities Commission and other designated Public Utilities Commission officials to execute and file, on behalf of the City and County Public Utilities Commission, an application for Federal and State financial assistance under the Robert T. Stafford Federal Disaster Relief and Emergency Assistance Act for funds as a result of the 1995 late winter storms. (Public Utilities Commission)

File 94-95-1, Resolution No. 558-95

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

[Grant, Federal Funds]

Resolution authorizing the Chief Administrative Officer to apply for \$2,975,220 from the Transportation Fund for Clean Air in the Bay Area for programs and projects to reduce air pollution from motor vehicles; waiving indirect costs. (Supervisor Hallinan)

File 133-95-6, Resolution No. 548-95

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

[Sewer Services]

Resolution authorizing the Mayor to execute a joint exercise of powers agreement for sewer services between the City and County of San Francisco, the City of Brisbane, and the Guadalupe Valley Municipal Improvement District. (Department of Public Works)

File 172-95-24, Resolution No. 560-95

(Fiscal Impact.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

[Sewer Services]

Resolution authorizing the Mayor to execute a joint exercise of powers agreement for sewer services between the City and County of San Francisco and the North San Mateo County Sanitation District. (Department of Public Works)

File 172-95-25, Resolution No. 561-95

(Fiscal Impact.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 10.

Absent: Supervisor Hallinan - 1.

[Contract, Paramedic/Ambulance Billing Services]

Resolution approving the contract between the Department of Public Health and Allied Information and Services Corporation (Allied), to provide Paramedic and Ambulance Billing and Collection Services. (Department of Public Health)

File 172-95-26, Resolution No. 562-95

(Fiscal Impact.)

Adopted by the following vote:

Monday, July 10, 1995

Ayes: Supervisors Alioto, Ammiano, Bierman, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 10.

Absent: Supervisor Hallinan - 1.

SPECIAL ORDER 3:00 P.M.

From the President

Report Received

Report by the Chief Administrative Officer to explain the Courthouse construction and all construction contracts planned. (Supervisor Kennedy)

File 186-95-6

(June 26, 1995 - Consideration continued to July 10, 1995.)

The Chief Administrative Officer appeared and gave a brief status report on the projects and mentioned the outreach to increase minority participants.

PUBLIC COMMENT

The privilege of the floor was granted to the following persons:

Dehnert Queen, environmental review;  
Daniel, police department;  
Leboriae P. Smoore, San Francisco Housing Authority Section 8 program;  
Al Simmons, Black children's placement in foster care.

There being no one else present wishing to speak, the President declared the public comment portion of the meeting closed.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures were introduced at a prior meeting of the Board with action requested at this meeting. Any Supervisor may require these measures to go to committee unless a motion to suspend the rules is adopted by eight votes (or a unanimous vote if only six or seven members are present). An "aye" vote is (a) a vote in favor of suspending the rule requiring reference to committee, and (b) a vote in favor of adoption of the measures. Eight votes (or a unanimous vote if only six or seven members are present) is required.

Severed From For Adoption Without Committee Reference Calendar

Supervisor Ammiano requested that the following measure be severed from the For Adoption Without Committee Reference Calendar and considered separately.

Adopted as Amended

[Lesbian and Gay Pride Month]  
Resolution urging the City Council of the City of Alameda to join with other Bay Area communities in recognizing Lesbian and Gay Pride Month ((during the month of June 1995)). (Supervisors Ammiano, Alioto, Kaufman, Leal, Migden, Bierman, Teng)

File 250-95-1, Resolution No. 563-95

(June 26, 1995 - Introduced in Board for consideration on July 10, 1995.)

Supervisor Ammiano, seconded by Supervisor Leal, moved to amend title by deleting the phrase, "during the month of June 1995".

Motion to amend adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 10.

Absent: Supervisor Hallinan - 1.

Adopted as amended by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 10.

Absent: Supervisor Hallinan - 1.

In connection with the above item, Supervisors Kaufman, Leal, Migden, Bierman, Teng requested to be added as co-sponsors.

The Board thereupon resumed its consideration of the following items on the For Adoption Without Committee Reference Calendar.

For Adoption Without Committee Reference Calendar

Adopted

[Commend Judge Donna Hitchens]

Resolution commending San Francisco Superior Court Judge Donna J. Hitchens on being honored by the National Council of Juvenile and Family Court judges as the 1995 recipient of their award for meritorious service to the Juvenile Courts of America. (Supervisors Leal, Alioto, Shelley, Kaufman, Hallinan, Bierman, Teng, Ammiano)

File 6-95-63, Resolution No. 552-95

(June 26, 1995 - Introduced in Board for consideration on July 10, 1995.)

Adopted.

In connection with the above item, Supervisors Shelley, Kaufman, Hallinan, Bierman, Teng, Ammiano requested to be added as co-sponsors.

[Commend Charlie Mallon]

Resolution commending Charlie Mallon for a lifetime career in the physical fitness industry, serving the citizens of San Francisco and wishing him good health, peace and happiness in his retirement. (Supervisor Bierman)

File 6-95-65, Resolution No. 553-95

(June 26, 1995 - Introduced in Board for consideration on July 10, 1995.)

Adopted.

The foregoing items on the For Adoption Without Committee Reference Calendar were adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 10.

Absent: Supervisor Hallinan - 1.

IMMEDIATE ADOPTION CALENDAR

These measures are being introduced at this meeting. A unanimous vote is required for adoption today. Any Supervisor may require any of these measures to go to committee.

Severed from Immediate Adoption Calendar

Supervisor Bierman requested that the following measure be severed from the Immediate Adoption Calendar and considered separately.

Adopted

[California Winter Storms of 1995 Emergency]

Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the California Winter Storms of 1995. (Supervisors Shelley, Teng)

File 270-95-3.8

Supervisor Bierman Excused from Voting

Monday, July 10, 1995

On advice of the City Attorney, Supervisor Bierman requested to be excused from voting on this item and similar matters because of possible conflict of interest.

Thereupon, Supervisor Alioto, seconded by Supervisor Kennedy, moved to excuse Supervisor Bierman from voting.

Motion adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 10.

Absent: Supervisor Hallinan - 1.

The roll was then called on the pending legislation and it was adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 9.

Excused: Supervisor Bierman - 1.

Absent: Supervisor Hallinan - 1.

The Board resumed its consideration of the following items on the Immediate Adoption Calendar.

Immediate Adoption Calendar

Adopted

[Leaves of Absence]

Resolution granting leaves of absence to various city and county officers with permission to leave the state. (Clerk of the Board)

File 1-95-26, Resolution No. 549-95

(Willie B. Kennedy, member, Board of Supervisors, July 5 - July 10, 1995.)

Adopted.

[Commemoration]

Resolution expressing great sorrow at the passing of Ray Benson and urging the Mayor to urge the Police Commission to honor Ray Benson's memory and life work by naming the community room in the Mission District Police Station the "Raymond Benson Community Room"; and making this tribute with the placement of an appropriate plaque extolling Ray Benson's years of community service and achievements. (Supervisors Kaufman, Alioto, Leal, Ammiano, Teng, Hsieh, Shelley)

File 6-95-66, Resolution No. 554-95

Adopted.

In connection with the above item, Supervisors Leal, Ammiano, Teng, Hsieh, Shelley requested to be added as co-sponsors.

[Needle Exchange Emergency]

Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program. (Supervisors Alioto, Leal, Bierman, Shelley, Migden, Teng)

File 30-95-1.14

Adopted.

In connection with the above item, Supervisor Teng requested to be added as co-sponsor.

The foregoing item on the Immediate Adoption Calendar was adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 10.

Absent: Supervisor Hallinan - 1.



OFF-CALENDAR LEGISLATION

ROLL CALL FOR INTRODUCTION OF MEASURES AND COMMUNICATIONS  
NOT CONSIDERED OR REPORTED ON BY COMMITTEE

Referred to Committee

[MOU Provisions]

Ordinance implementing the provisions of an amendment to the Memorandum of Understanding between the Service Employees International Union, AFL-CIO, Locals 250, 535 and 790 and the City and County to be effective July 1, 1995. Supervisors Hsieh, Kaufman, Bierman, Alioto presented. Referred to Government Efficiency/Labor Committee with request it be considered at the July 11, 1995 meeting.

File 093-95-049

[Stock Exchange Transaction Tax]

Ordinance amending Part III, Municipal Code, by adding Sections 1261 through 1279 (Stock Transfer Tax) and adding Section 1026.3 to impose a transfer tax on specialists who trade equity securities on a San Francisco Stock Exchange, at the rate of 0.1 percent of the gross sale price of any transactions effected by the specialist on the exchange; setting effective date of January 1, 1996. Supervisor Ammiano presented. Referred to Budget Committee.

File 127-95-010.

[BART to Airport Funding]

Resolution opposing the Airline Transportation Association's position on the extension of BART to the San Francisco International Airport and urging Congress to maintain full funding for the BART extension. Supervisors Shelley, Kennedy presented. Referred to Rules Committee.

File 027-95-010.01.

Referred to Board

[Street Fair Police Fee Waiver]

Resolution waiving ISCOIT police fees for the San Francisco Fair for the years 1993, 1994 and 1995; supporting the application of the San Francisco Fair to ISCOIT for its 1995 celebration at Yerba Buena Gardens, with the provision that the San Francisco Fair and representatives from the Moscone Center agree to cooperate in its production efforts. Supervisors Hallinan, Alioto presented. Referred to Board for Adoption Without Committee Reference Calendar July 17, 1995.

File 042-95-001.

[Limitation on Liability, Peoplesoft, Inc.]

Resolution authorizing the City and County, acting through the appropriate city officials, to enter into a license agreement with Peoplesoft, Inc. for a payroll package to process pension payments. Supervisor Shelley presented. Referred to Board for Adoption Without Committee Reference Calendar July 17, 1995.

File 172-95-030.

Referred to Committee

[Juneteenth Festival, 1996]

Resolution urging the Mayor to urge the Redevelopment Agency Commission to assign up to \$50,000 of the Redevelopment Agency budget for the funding of the 1996 Juneteenth Festival and to designate the Center for African and African American Art and Culture as the fiscal agent. Supervisor Kennedy presented. Referred to Economic Vitality/Social Policy Committee with request it be considered at the August 1, 1995 meeting.

File 161-95-008.

Referred to Board

[Cryptosporidium Task Force]

Resolution establishing a Cryptosporidium Task Force of 17 members, which would create proposed guideline for a regular system of notifying the public about risks from the cryptosporidium parasite in the water supply, which guidelines shall specifically address the special concerns of the immune-compromised community; requesting that the task force submit the proposed immediately upon their completion, with the goal of having them no later than the end of the calendar year; the task force shall terminate when the City has in place cryptosporidium guidelines. Supervisor Migden presented. Referred to Board for Adoption Without Committee Reference Calendar July 17, 1995.

File 174-95-005.

Referred to Committee

[Liquor License, Paradise Lounge]

Resolution determining that expansion of the liquor license of the Paradise Lounge, located at 308 11th Street, to include the adjacent and contiguous space called the Transmission Theater, will serve the convenience and necessity of the people of the City and County of San Francisco. Supervisor Hallinan presented. Referred to Government Efficiency/Labor Committee with request it be considered at the July 11, 1995 meeting.

File 223-95-014.

[Bayshore Hester Assessment District]

Resolution declaring the City and County's intent to form, and determining the boundaries for, a special assessment district designated "Bayshore Hester Assessment District No. 95-1" and approving the acquisition of improvements relating thereto; accepting the petitions of landowners relating to such assessment district; directing the preparation of a preliminary engineer's report; providing for the issuance of bonds and matters related thereto; and authorizing other official actions in connection therewith. Supervisor Shelley presented. Referred to Budget Committee.

File 251-95-001.

[Affordable Child Care Fund]

Resolution amending regulations governing expenditures of monies contributed by sponsors of large-scale office and hotel developments to the Affordable Child Care Fund. Supervisor Kennedy presented. Referred to Economic Vitality/Social Policy Committee with request it be considered at the August 1, 1995 meeting.

File 252-95-001.

[Ballot Measure, Ordinance]

Hearing to consider recommending motion be adopted ordering submission of an ordinance to amend regulation of taxicabs and other motor vehicles for hire by amending Section 2, to waive the requirement that the permittee drive the taxicab or motor vehicles for hire at least 75 percent of the business days during the calendar year, said waiver to occur where the permittee is unable to drive due to serious and incapacitating illness or injury. Supervisor Kennedy presented. Referred to Rules Committee.

File 060-95-007.

[Protest March Procedures of Police/Sheriff]

Hearing to consider and examine procedures employed by the Police and Sheriff Departments during and after the June 26, 1995 protest march in the Mission District. Supervisors Alioto, Bierman, Ammiano presented. Referred to Health/Public Safety/Environment Committee with request it be considered at the August 3, 1995 meeting.

File 207-95-011.

Introduced by the President at the Request of Departments

Ordinances Referred to Committee

File 027-95-011. [Lease Modification, Charnel Company, Inc.] Ordinance approving, retroactively, the Modification of the Boarding Area "A" Retail Concession Lease A-1 between Charnel Company, Inc. and the City and County of San Francisco, acting by and through its Airports Commission. (Airports Commission) Referred to Government Efficiency/Labor Committee.

File 045-95-024. [Settlement of Litigation, Mary Ann Castillo] Ordinance approving the settlement of litigation of Mary Ann Castillo against the City and County San Francisco by payment of \$14,750. (City Attorney) Referred to Government Efficiency/Labor Committee.

File 045-95-025. [Oceanside Water Pollution Control Plant Lawsuit] Ordinance approving the settlement of Homer J. Olsen and Ohbayashi Corporation v. City and County of San Francisco regarding the construction of the Oceanside Water Pollution Control Plant. (Superior Court of California, County of Alameda, Northern Division, Docket No. 727093-8). (City Attorney) Referred to Government Efficiency/Labor Committee.

File 045-95-026. [Settlement of Litigation, Jeffrey Derderian] Ordinance authorizing settlement of property damage claim of Jeffrey Derderian against the City and County of San Francisco by payment of \$8,425. (Superior Court No. 958-930). (City Attorney) Referred to Government Efficiency/Labor Committee.

File 045-95-027. [Settlement of Litigation, Betty Jiminez, et al.] Ordinance authorizing settlement of litigation of Betty Jiminez, Angelita Jiminez, Yvonne Hernandez and Aujha Hernandez against the City and County of San Francisco by payment of \$40,500.- (Superior Court No. 952-173). (City Attorney) Referred to Government Efficiency/Labor Committee.

File 065-95-006. [Lease, Golden Gate Park Stables, Inc.] Ordinance approving a fifteen (15) year lease between the City and County of San Francisco and Golden Gate Park Stables, Inc. which provides for the operation of horse stables in Golden Gate Park. (Also see File 193-95-3). (Recreation and Park Department) Referred to Government Efficiency/Labor Committee.

File 101-95-004. [Appropriation, Sheriff and Police Departments] Ordinance appropriating \$955,423, Sheriff and Police Departments, from the General Fund Reserve for overtime, fringe benefits, materials and supplies, other non-personal services and services of other departments, for costs associated with the UN 50 Celebration for fiscal year 1995-96; providing for ratification of action previously taken. RD #95011 (Sheriff/Police Departments) Referred to Budget Committee.

File 101-95-005. [Appropriation, Dept. of Public Works] Ordinance appropriating and certifying \$49,101, Department of Public Works, for Capital Improvement Project (Candlestick Park Overhead Lane Traffic Signal Project) to cover ten percent overage as per Charter Section 7.203; providing for ratification of action previously taken, for fiscal year 1995-96. (Department of Public Works) Referred to Budget Committee.

File 101-95-006. [Appropriation, Dept. of Public Works] Ordinance appropriating and certifying \$6,100, Department of Public Works, for Capital Improvement Project (Capitol Avenue sewer repair) to cover ten percent overage as per Charter Section 7.203; providing for ratification of action previously taken, for fiscal year 1995-96. (Department of Public Works) Referred to Budget Committee.

File 124-95-003. [Centralized Parking Meter] Ordinance amending Traffic Code Section 32.10 to provide for the use of a centralized parking meter in municipal off-street lots controlled by parking meters. (Department of Parking and Traffic) Referred to Housing and Land Use Committee.

#### Resolutions Referred to Committee

File 025-95-019. [Prop J Contract, Budget Analyst Services] Resolution concurring with the Controller's certification that services of the Budget Analyst can be practically performed by private contractor for lower cost than similar work services performed by City and County employees. (Clerk, Board of Supervisors) Referred to Government Efficiency/Labor Committee.

File 025-95-020. [Prop J Contract, Court Management System] Resolution concurring with the Controller's certification that services of the Court Management System Coordinator can be practically performed by private contractor for lower cost than similar work services performed by City and County employees. (Municipal Court) Referred to Government Efficiency/Labor Committee.

File 025-95-021. [Prop J Contract, Security Services] Resolution concurring with the Controller's certification that security services can be practically performed by private contractor for lower cost than similar services performed by City and County employees. (Purchasing Department) Referred to Government Efficiency/Labor Committee.

File 025-95-022. [Prop J Contract, Parking Management Services] Resolution approving the Controller's certification that parking management services for San Francisco International Airport can practically be performed by private contractor at a lower cost for the year commencing July 1, 1995 than if work were performed by City employees at budgeted levels. (Airport) Referred to Government Efficiency/Labor Committee.

File 027-95-012. [State Grant, CalTrain-SFO Shuttle Service] Resolution authorizing the Airports Commission to seek, accept, and expend funds for a CalTrain-SFO Shuttle from the Bay Area Quality Management District under AB 434 Funds, Clean Air Act Legislation, for a third year of operation; waiving indirect costs. (Airports Commission) Referred to Government Efficiency/Labor Committee.

File 028-95-010. [Emergency Repair, Chlorination Facilities] Resolution authorizing expenditure of San Francisco Water Department funds for emergency repairs at City chlorination facilities. (Public Utilities Commission) Referred to Budget Committee.

File 038-95-005. [Gift Acceptance, Rathmann Family Foundation] Resolution authorizing acceptance by the San Francisco Fire Department of a \$25,000 contribution for the Rathmann Family Foundation for the Neighborhood Emergency Response Team Training Program. (Fire Commission) Referred to Government Efficiency/Labor Committee.

File 048-95-017. [Settlement of Claim, Richard Depp] Resolution approving the settlement of the unlitigated claim of Richard Depp by payment of \$6,884.86. (City Attorney) Referred to Government Efficiency/Labor Committee.

File 048-95-018. [Settlement of Claim, Sarah Zwerling] Resolution approving the settlement of the unlitigated claim of Sarah Zwerling by payment of \$12,000.00. (City Attorney) Referred to Government Efficiency/Labor Committee.

File 064-95-005. [Renewal and Extension of 9 Leases] Resolution authorizing extension and renewal of nine (9) existing leases of real property required by the Department of Public Health. (Real Estate Department) Referred to Government Efficiency/Labor Committee.

File 089-95-004. [SDI Coverage, AA56 Hearing Officer] Resolution authorizing enrollment of classification AA56 into the State Disability Insurance Program. (Department of Human Resources) Referred to Government Efficiency/Labor Committee.

File 138-95-004. [Grant - State, Drug Abatement Project] Resolution authorizing the District Attorney of the City and County of San Francisco to apply for, accept, and expend funds in the amount of \$311,985.00 made available through the Office of Criminal Justice Planning for a project entitled "San Francisco District Attorney's Drug Abatement Project", for the twelve month period July 1, 1995 through June 30, 1996. (District Attorney) Referred to Government Efficiency/Labor Committee.

File 147-95-007. [State Grant - Project Read] Resolution authorizing the City Librarian to apply for funds available from the California State Library's Administration of Library Services and Construction Act (LSCA) Title I funds for a Southeast Literacy Program; including indirect costs of five percent. (Public Library) Referred to Government Efficiency/Labor Committee.

File 147-95-008. [Grant, Support Services-City Link Program] Resolution authorizing the San Francisco Public Library to accept \$30,000 in grant funds awarded by the Corporation for Public Broadcasting/Annenberg Foundation as part of the Community Wide Education and Information Services (CWEIS) program to participate in a collaborative project integrating a variety of telecommunications programs and services to create and provide access to knowledge, education, and information resources; waiving indirect costs. (Public Library) Referred to Government Efficiency/Labor Committee.

File 152-95-002. [Grant - State, Drug Abatement Project] Resolution authorizing retroactively the Sheriff of the City and County of San Francisco to apply for, accept, and expend funds in the amount of \$60,858 which include indirect costs in the amount of \$2,968 based on five percent of the project costs less audit expenses made available through the Office of Criminal Justice Planning for a project entitled "San Francisco Drug Abatement Project." (Sheriff) Referred to Government Efficiency/Labor Committee.

#### Requests Granted

There being no objection, the Board directed the Clerk to comply with the following requests:

By Supervisor Hallinan, that City Attorney draft ordinance outlawing loitering with intent to distribute drugs in parks where children are or may be present, such loitering to constitute an infraction and on subsequent convictions an infraction or misdemeanor.

By Supervisor Bierman, that City Attorney investigate the enforcement of Section 11364.5 of the State Health and Safety Code which prohibits the sale of drug paraphernalia to minors and requires this merchandise to be displayed in a back area of the store with restricted access.

By Supervisor Kennedy, that City Attorney prepare motion ordering submission of an ordinance to amend regulation of taxicabs and other motor vehicles for hire by amending Section 2, to waive the requirement that the permittee drive the taxicab or motor vehicles for hire at least 75 percent of the business days during the calendar year, said waiver to occur where the permittee is unable to drive due to serious and incapacitating illness or injury. File 60-95-7.

#### Motions Adopted

Motion that the Board adjourn its meeting this date out of respect to the memory of the following deceased:

Sam Duca (By the entire Board)  
Ray Benson (By the entire Board)  
Ann Klinger (By the entire Board)  
Franco Bruno (Supervisor Alioto)  
Madlyn Day (Supervisor Hsieh)  
Brett Averill (Supervisor Migden)  
Martin G. Cogan (Supervisors Leal, Teng)  
Ilse Reiss (Supervisor Bierman)  
Nina Carter (Supervisor Kennedy)  
Jessie Ryan (Supervisor Kennedy)  
Wayne Jerome Bell (Supervisor Kennedy)  
M. J. Odum (Supervisor Kennedy)

File 2-95-26

Unanimously adopted by a rising vote.

ADJOURNMENT

There being no further business, the Board at the hour of 4:40 p.m. adjourned.

John L. Taylor, Clerk

N.B. This Journal of Proceedings sets forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on August 28, 1995

I, John L. Taylor, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Journal of Proceedings of said Board on the date stated and was approved as recited.

John L. Taylor  
Clerk of the Board of Supervisors



Monday, July 17, 1995

# **Journal of Proceedings**

*The Minutes of the*

## **Board of Supervisors**

City and County of San Francisco

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JOURNAL OF PROCEEDINGS

BOARD OF SUPERVISORS

\_\_\_\_\_  
Monday, July 17, 1995 - 2:00 p.m.  
\_\_\_\_\_

The Board of Supervisors of the City and County of San Francisco met in regular session on the above date with President Kevin Shelley presiding.

CALLING THE ROLL

The meeting was called to order at 2:15 p.m. On call of the roll, the following Supervisors were noted present:

Supervisors Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 10.

Noted absent at first roll call:

Supervisor Alioto - 1.

Quorum present.

Supervisor Alioto noted present at 2:16 p.m.

CONSENT CALENDAR

Recommendations of Government Efficiency and Labor Committee

Finally Passed

[Lease Modification, American Air Lines]

Ordinance approving, retroactively, Modification No. 6 of Lease and Use Agreement between American Airlines, Inc. and City and County, acting by and through its Airports Commission. (Airports Commission)

File 27-95-8, Ordinance No. 241-95

Finally passed.

[Settlement of Litigation, Morgan/Pearsall]

Ordinance authorizing settlement of litigation of Dianne Morgan and Jerry Pearsall against the City and County by payment of \$10,000. (City Attorney)

File 45-95-21, Ordinance No. 242-95

(Superior Court No. 956-583.)

Finally passed.

[Bush-Polk Garage Lawsuit Settlement]

Ordinance approving the settlement of Insurance Company of North America v. City and County, regarding the construction of the Bush-Polk Garage. (Department of Parking and Traffic)

File 45-95-22, Ordinance No. 243-95

(USDC Northern District of California, Case No. C94-03845.)

Finally passed.

[Bayshore Sanitary District v. CCSF]

Ordinance authorizing the Mayor and the City Attorney to execute a Joint Exercise of Powers Agreement for sewer services between the City and County and the Bayshore Sanitary District in settlement of litigation and to dismiss all litigation claims with respect thereto. (City Attorney)

File 45-95-23, Ordinance No. 244-95

(Santa Clara Superior Court No. CV 740514.)

Finally passed.

Adopted

[Gift Acceptance, Recreation and Park]

Resolution accepting one gift valued at \$50,000.00, for use by the Recreation and Park Department. (Recreation and Park Department)

File 38-95-4, Resolution No. 569-95

Adopted.

[SDI Coverage, 3426 Urban Forester]

Resolution authorizing enrollment of Classification(s) 3426 Urban Forester in the State Disability Insurance Program. (Department of Human Resources)

File 89-95-3, Resolution No. 571-95

Adopted.

[Grant - State, Anti-Drug Abuse Enforcement Program]

Resolution authorizing the Chief of Police to apply for retroactively, accept and expend funds in the amount \$148,997, which includes indirect costs of \$7,450 based on five percent of the total grant award, for continual funding for a project entitled "Anti-Drug Abuse Enforcement Program." (Police Department)

File 143-95-1, Resolution No. 574-95

Adopted.

[State Grant, STD Prevention & Control Program]

Resolution authorizing the Department of Public Health, Community Public Health Services, to accept and expend, retroactively, a grant of \$16,781 from the California Department of Health Services, STD Control Branch, for STD Outreach, Education and Referral Services; waiving indirect costs. (Department of Public Health)

File 146-95-8, Resolution No. 575-95

Adopted.

Recommendations of Housing and Land Use Committee

Adopted

[Parking Regulations]

Resolution enacting regulations at Geary and Powell Streets. (Housing and Land Use Committee)

File 19-95-8, Resolution No. 567-95

(No Parking, 3am - 6am, Monday through Friday - Establish

Geary Street, south side, from 33 feet to 77 feet east of Powell Street (44-foot zone at meter nos. 235 and 237).)

Adopted.

[Traffic Regulations, Various locations]

Resolution enacting and rescinding traffic regulations at various locations. (Housing and Land Use Committee)

File 20-95-11, Resolution No. 568-95

(No Left Turn Rescind

No Left Turn, 4pm - 6pm, Monday through Friday; and No Left Turn except Taxis, all other times - Establish.

Mission Street, eastbound, at 5th Street

Mission Street, eastbound, at 6th Street

Mission Street, eastbound, at 7th Street.

No Left Turn, 4pm - 6pm, Monday through Friday - Rescind.

No Left Turn, 3:30 pm - 7 pm, Monday through Friday - Establish.

2nd Street, southbound, at Bryant Street.

No Right Turn before Candlestick Park Events - Establish

Jamestown Avenue, southbound, at Harney Way.

One-Way Street - Establish.

34th Avenue, southbound, between Wawona and Yorba Streets.

Tow-Away, No Parking Anytime - Establish.

Shakespeare Street, east side, between Head and DeLong Streets.

Shakespeare Street, south side, from 102 feet to 151 feet west of Rhine Street (49-foot zone opposite #114 Shakespeare Street, eliminates 2 parking spaces).

Shakespeare Street, south side, from 176 feet to 202 feet west of Rhine Streets (26-foot zone opposite #124 Shakespeare Street, eliminates 1 parking spaces).

Shakespeare Street, south side, from 303 feet to 333 feet west of Rhine Street (30-foot zone opposite #140 Shakespeare Street, eliminates 2 parking spaces).

Tow-Away, No Stopping Anytime - Establish.

Bay Street, both sides, between Kearny Street and The Embarcadero.

Kearny Street, west side, between The Embarcadero and Bay Street.

King Street, south side, between 2nd and 3rd Streets.

The Embarcadero, both sides, between Folsom and Harrison Streets.

The Embarcadero, both sides, from Bryant Street to 215-feet northerly (215-foot zone).

The Embarcadero, east side, between Kearny Street and Broadway, except within parking bays.

The Embarcadero, east side, from Brannan Street to 300 feet northerly (300-foot zone).

The Embarcadero, west side, from Brannan Street to 150 feet northerly (150-foot zone).

The Embarcadero, west side, from Broadway to approximately 340 feet northerly (340-foot zone, to end of parking bay).

The Embarcadero, west side, from Kearny Street to approximately 170 feet south of Battery Street (to end of parking bay).

The Embarcadero, west side, from Townsend Street to 177 feet northerly (177-foot zone).

Bicycle Lanes - Establish.

King Street, both sides, between Townsend and 2nd Streets.

King Street, south side, from 2nd Street to approximately 420 feet westerly (420-foot zone, to the mid-block crosswalk).

The Embarcadero, both sides, between Folsom and Townsend Streets.

The Embarcadero, both sides, between North Point Street and Broadway.

No Left or U-Turn - Establish.

The Embarcadero, both directions, at Harrison Street.

The Embarcadero, both directions, at Pier 23 (at mid-block crosswalk).

The Embarcadero, southbound, at Bay Street.

Right Lane must Turn Right - Establish.

The Embarcadero, southbound, at Battery and Lombard Streets.

The Embarcadero, southbound, at Brannan Street.

The Embarcadero, southbound, at Bryant Street.

Right Turn Only - Rescind

Left Lane must Turn Left - Establish

Two Right Lanes must Turn Right - Establish

Bay Street, eastbound, at The Embarcadero.

One-Way Street - Rescind.

Kearny Street, northbound, between Bay Street and The Embarcadero.)

Adopted.

The foregoing items on the Consent Calendar were acted upon by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

REGULAR CALENDAR

UNFINISHED BUSINESS

From the Clerk

Consideration Continued

[Findings]

Motion adopting findings related to the appeal of the City Planning Commission's approval of Conditional Use Application No. 93.586C, which authorized the construction of a Planned Unit Development containing up to 33 dwelling units in up to 16 separate buildings on a site approximately 22,665 square feet in size, and proposing exceptions from Planning Code requirements for lot width, lot area, rear yard and permitted density, within an NC-2 Neighborhood Commercial District, and also within the San Francisco Coastal Zone Area and a 100-foot Height and Bulk District, on property located at 2900 Sloat Boulevard; Lots 1 and 2, in Assessor's Block 2516; adopting findings pursuant to City Planning Code Section 101.1 (Prop M); approving the issuance of the requested conditional use authorization, subject to additional conditions as imposed by the Board of Supervisors.

File 37-95-6.5

Supervisor Bierman, seconded by Supervisor Leal, moved to continue consideration to July 24, 1995.

Motion to continue adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

Recommendations of Budget Committee

Adopted as Amended

[Annual Budget]

Annual Budget for the City and County of San Francisco for fiscal year 1995-96. (Mayor)

File 100-95-1

(Administrative Code Section 3.5 provides the Board shall adopt the budget not earlier than July 15 nor later than July 26, 1995.)

(July 10, 1995 - Consideration continued to July 17, 1995.)

Supervisor Alioto, seconded by Supervisor Bierman, moved to amend the budget by restoring \$150,000 to Hetch Hetchy, professional services, for municipalization feasibility study from funds recommended to be deleted by the Budget Analyst.

Motion to amend adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Leal, Migden, Shelley, Teng - 8.

Noes: Supervisors Hsieh, Kaufman, Kennedy - 3.

Supervisor Hallinan, seconded by Supervisor Bierman, moved to amend the budget, by adding a new section as follows: "SECTION 33. In the budget for the Department of Social Services, object 190, non-personal service, \$750,000 is placed on reserve to be released by the Board of Supervisors."

Motion to amend adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Kennedy, Leal, Migden, Shelley, Teng - 9.

Noes: Supervisors Hsieh, Kaufman - 2.

The roll was then called on the budget and it was adopted as amended by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Leal, Migden, Shelley, Teng - 10.

Noes: Supervisor Kennedy - 1.

Passed for Second Reading as Amended

[Annual Appropriation Ordinance, Fiscal Year 1995-96]

Ordinance appropriating all estimated receipts and all estimated expenditures for the City and County of San Francisco for fiscal year ending June 30, 1996; companion measure to File 100-95-1. (Human Resources Department)

File 101-95-2, Ordinance No. 255-95

(Fiscal Impact.)

(Administrative Code Section 3.5 provides the Board shall act on this ordinance not later than July 26, 1995.)

(July 10, 1995 - Consideration continued to July 17, 1995.)

Supervisor Leal, seconded by Supervisor Kaufman, moved to amend to conform the Annual Appropriation Ordinance to the Annual Budget as amended.

Motion to amend adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Leal, Migden, Shelley, Teng - 10.

Noes: Supervisor Kennedy - 1.

Passed for second reading as amended by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Leal, Migden, Shelley, Teng - 10.

Noes: Supervisor Kennedy - 1.

Passed for Second Reading

[Annual Salary Ordinance]

Ordinance enumerating positions in the Annual Budget and Appropriation Ordinance for the fiscal year ending June 30, 1996, continuing, creating or establishing these positions; enumerating and including therein all positions created by Charter or State law for which compensations are paid from City and County funds and appropriated in the Annual Appropriation Ordinance; authorizing appointments or continuation of appointments thereto; specifying and fixing the compensations and work schedules thereof; and authorizing appointments to temporary positions and fixing compensations thereof; companion measure to Files 100-95-1 and 101-95-2. (Human Resources Department)

File 102-95-2, Ordinance No.

(Fiscal Impact.)

(July 10, 1995 - Consideration continued to July 17, 1995.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

NEW BUSINESS

Recommendations of Budget Committee

Passed for Second Reading

[Appropriation, Public Works]

Ordinance appropriating \$200,000, Department of Public Works, of parking revenue to capital improvement project for fiscal year 1995-96 (Clay/Washington parcel rezoning; providing that at least one half of the Clay/Washington Street parcel be reserved for public open space); and placing a reserve on \$101,095. (Supervisors Shelley, Kaufman, Teng, Hsieh)

File 101-95-3, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

[Special Election, Bond Measures]

Ordinance calling and providing for a Special Election to be held in the City and County on Tuesday, November 7, 1995, for the purpose of submitting to the voters of the City and County propositions to incur the following bonded debts of the City and County for the acquisition, construction or completion by the City and County of the following municipal improvements, to wit: \$63,590,000; \$29,245,000 and \$44,100,000 for acquisition, construction and/or reconstruction of certain improvements to City Hall, Steinhart Aquarium and related facilities and structures and to underground storage tanks owned by City and County; that estimated cost of said improvements is and will be too great to be paid out of ordinary annual income and revenue will require expenditures greater than the amount allowed by annual tax levy; reciting estimated costs of manner of holding such election and procedure for voting for or against the propositions; fixing maximum rate of interest on said bonds and providing for levy and collection of taxes to pay both principal and interest; prescribing notice to be given of such election; consolidating the Special Election with the General Election; and providing that the election precincts, voting places and officers for election shall be the same as for such General Election. (Supervisors Shelley, Hsieh, Kaufman, Alioto, Migden, Hallinan, Ammiano, Bierman, Leal, Kennedy, Teng)

File 60-95-5, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

In connection with the above item, Supervisors Leal, Kennedy, Teng requested to be added as co-sponsors.

Adopted

[General Obligation Refunding Bonds]

Resolution affirming and renewing the authorization for the issuance from time to time in one or more series of not to exceed \$600,000,000 aggregate principal amount of City and County of San Francisco General Obligation Bonds contained in Resolution No. 93-94. (Chief Administrative Officer)

File 170-94-1.1, Resolution No. 565-95

(Fiscal Impact.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

Consideration Continued

[Gift Acceptance, National Blue Ribbon Commission]

Resolution authorizing the National Blue Ribbon Commission to accept and expend a gift of \$970 and the expenditure of \$10,000 from various sources retroactively to facilitate the business of the Commission and directing the Clerk of the Board of Supervisors to reimburse the Commission for monies to carry out its functions. (Supervisor Bierman)

File 38-95-3, Resolution No.

(Fiscal Impact.)

Supervisor Bierman, seconded by Supervisor Kaufman, moved to continue consideration to July 24, 1995.

Motion to continue adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

Adopted

[Redevelopment Agency Budget and Bonds]

Resolution approving the Budget of the Redevelopment Agency for fiscal year 1995-96; and approving the issuance by the Agency of Bonds in an aggregate principal amount not to exceed \$16,500,000 for the purpose of financing Redevelopment activities in fiscal year 1995-96. (Redevelopment Agency)

File 161-95-6, Resolution No. 576-95

(Fiscal Impact.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

[Underground Storage Tank Bond Reimbursement]

Resolution declaring the intent of the City and County to reimburse certain expenditures (repair, removal, replacement of underground storage tanks and remediation of contaminated soil) from proceeds of future indebtedness, and approving and ratifying previous actions. (Chief Administrative Officer)

File 170-95-7.1, Resolution No. 578-95

(Fiscal Impact.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

Recommendations of Economic Vitality and Social Policy Committee

Adopted

[Wells Fargo Branch Closure]

Resolution urging Wells Fargo Bank not to close or severely reduce its banking operations at the Bush and Divisadero Streets branch and place the Western Addition Coalition petitions in said bank's Community Reinvestment Act file. (Supervisor Hallinan)

File 176-95-9, Resolution No. 581-95

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

[Support for Hillhaven Nursing Home Workers]

Resolution supporting the rights of nursing home workers to work in conditions that promote their safety and well-being and to be treated with dignity and respect and not to work and live in facilities that are fast becoming the sweatshops of the health care industry. (Supervisors Kennedy, Alioto)

File 176-95-12, Resolution No. 582-95

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

[Affinity Phone Service]

Resolution urging the Chief Administrative Officer and Controller to examine proposals for creation of an affinity telephone service for the City of San Francisco and seeking input from appropriate departments in its formulation. (Supervisor Migden)

File 186-95-7, Resolution No. 583-95

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

Recommendations of Government Efficiency and Labor Committee

Passed for Second Reading

[Oceanside Water Pollution Control Plant Lawsuit]  
Ordinance approving the settlement of Homer J. Olsen and Dhyayashi Corporation v. City and County regarding the construction of the Oceanside Water Pollution Control Plant. (City Attorney)

File 45-95-25, Ordinance No.

(Superior Court of California, County of Alameda, Northern Division, Docket No. 727093-8.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

[Sublease Amendment, 25 Van Ness Avenue]  
Ordinance authorizing and approving an amendment of sublease of City-owned property at 25 Van Ness Avenue, portion of lower level (Lot 4, Block 834) to the New Conservatory Children's Theatre Company and School, a non-profit corporation, commencing retroactively on May 15, 1995. (Real Estate Department)

File 65-95-5, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

[Memorandum of Understanding]  
Ordinance implementing the provisions of an amendment to the Memorandum of Understanding between the Service Employees International Union, AFL-CIO, Locals 250, 535 and 790 and the City and County to be effective July 1, 1995. (Supervisors Hsieh, Kaufman, Bierman, Alioto, Ammiano)

File 93-95-49, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

[Compensation, Superior Court, FY 1995-96]  
Ordinance setting schedules of compensation and other economic benefits for certain classifications of persons employed by the Superior Court for the City and County for fiscal year 1995-96. (Municipal Court)

File 106-95-4, Ordinance No.

(Fiscal Impact.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

[Compensation, Superior Court, FY 1995-96]  
Ordinance setting schedules of compensation and other economic benefits for fiscal year 1995-96 for certain classifications of persons employed by the Superior Court for the City and County. (Superior Court)

File 106-95-7, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

[Lead Abatement Education Agreement]  
Ordinance authorizing and approving an agreement between the City and County and the San Francisco



Community College District for the District to provide lead abatement training to private lead abatement contractors to allow those contractors to perform lead hazard abatement work on residential dwellings pursuant to a Lead Hazard Reduction Program funded through the Mayor's Office of Housing by the United States Department of Housing and Urban Development, which agreement includes a mutual indemnity clause. (Mayor's Office of Housing)

File 172-95-28, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

Appointment of President Pro Tempore

At the request of the President, Supervisor Hallinan assumed the Chair so the President could participate in the debate from the floor.

Consideration Continued

[Prop J Contract, Security Services]  
Resolution concurring with the Controller's certification that security services can be practically performed at the Department of Social Services by private contractor for lower cost than similar work performed by City and County employees. (Department of Social Services)

File 25-95-10, Resolution No.

(Fiscal Impact.)

Supervisor Shelley, seconded by Supervisor Ammiano, moved to continue consideration to July 24, 1995.

Motion to continue adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

[Prop J Contract, Security Services]  
Resolution concurring with the Controller's certification that the weekend and holiday security guard services can be practically performed for the Department of Public Health, SFGH, Substance Abuse Services, by private contractor for a lower cost than similar work services performed by City and County employees. (Department of Public Health)

File 25-95-14, Resolution No.

(Fiscal Impact.)

Supervisor Shelley, seconded by Supervisor Alioto, moved to continue consideration to July 24, 1995.

Motion to continue adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

Adopted

[State Grant, Bio-Diesel Demonstration Project]  
Resolution authorizing the Public Transportation Commission retroactively to apply for, accept and expend \$510,000 of Regional Bay Air Quality Management District Capital Assistance including the required local match contribution of \$286,000 from the San Francisco Municipal Railway Improvement Corporation and \$210,300 from the National Bio-Diesel Board for the Bio-Diesel Demonstration Project. (Supervisor Leal)

File 94-95-2, Resolution No. 572-95

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

[Grant - State, Victim Witness Assistance Program]

Resolution authorizing the District Attorney to retroactively apply for, accept and expend funds in the amount of \$67,988 available through the Office of Criminal Justice Planning for a project entitled "Special Emphasis Victim Witness Assistance Program" for the twelve month period July 1, 1995 through June 30, 1996, and waiving indirect cost due to funding restraints. (District Attorney)

File 138-95-3, Resolution No. 573-95

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

[Street Artists Selling Spaces]

Resolution redesignating two selling spaces on Beach Street, northwest corner, at Hyde Street for street artists certified by the Art Commission. (Supervisor Hallinan)

File 169-95-1, Resolution No. 577-95

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

[Hold Harmless Provision to Mutual Aid Agreement]

Resolution authorizing the Director of Public Transportation to execute an indemnification and hold harmless provision with the San Francisco Bay Area Transit Operators who are parties to a Mutual Aid Agreement. (Public Transportation Commission)

File 172-95-29, Resolution No. 579-95

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

[Transmission Theater Liquor License]

Resolution determining that a separate liquor license for 314 - 11th Street or a duplicate of the liquor license of the Paradise Lounge, located at 308 - 11th Street, to include the adjacent and contiguous space called the Transmission Theater at 314 - 11th Street, will serve the convenience and necessity of the people of the City and County. (Supervisor Hallinan)

File 223-95-14, Resolution No. 588-95

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

The President resumed the Chair.

Tabled

[Ballot Measure-Campaign Contribution Ordinance]

Motion ordering submission of an ordinance, establishing voluntary expenditure limits for candidates for San Francisco elective office and making related changes to the San Francisco Municipal Election Campaign Contribution Control Ordinance for the November 7, 1995 election. (Supervisors Hallinan, Alioto)

File 246-95-1

Supervisor Hallinan, seconded by Supervisor Leal, moved to table.

Tabled by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

From Government Efficiency and Labor Committee  
Without Recommendation

Consideration Continued

[Prop J Contract, Janitorial Services]

Resolution concurring with the Controller's certification that janitorial services for 25 Van Ness Avenue can be practically performed by private contractor for lower cost than similar work services performed by City and County employees. (Real Estate Department)

File 25-95-4, Resolution No.

(Fiscal Impact.)

Supervisor Hallinan, seconded by Supervisor Ammiano, moved to continue consideration to July 31, 1995.

Motion to continue adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

[Prop J Contract, Security Services]

Resolution concurring with the Controller's certification that security services for 25 Van Ness Avenue can be practically performed by private contractor for lower cost than similar work services performed by City and County employees. (Real Estate Department)

File 25-95-5, Resolution No.

Supervisor Hallinan, seconded by Supervisor Ammiano, moved to continue consideration to July 31, 1995.

Motion to continue adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

[Prop J Contract, Security Guard Services]

Resolution concurring with the Controller's certification that armed security guard services can be practically performed for the District Attorney, Family Support Bureau, by a private contractor for a lower cost than similar services performed by City and County employees. (District Attorney)

File 25-95-8, Resolution No.

(Fiscal Impact.)

Supervisor Hallinan, seconded by Supervisor Ammiano, moved to continue consideration to July 31, 1995.

Motion to continue adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

[Prop J Contract, Security Services]

Resolution concurring with the Controller's certification that Security Services for 1660 Mission Street can be practically performed by private contractor for lower cost than similar work services performed by City and County employees. (Real Estate Department)

File 25-95-13, Resolution No.

(Fiscal Impact.)

Supervisor Hallinan, seconded by Supervisor Ammiano, moved to continue consideration to July 31, 1995.

Motion to continue adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

Recommendations of Health, Public Safety and Environment Committee

Passed for Second Reading

[Agreement, Health Service System - DPH]

Ordinance amending Health Code, to authorize an agreement between the Health Service System and Department of Public Health, making the department a preferred provider of medical services under the city administered health plan and imposing certain obligations on city officials. (Supervisor Alioto)

File 172-95-18, Ordinance No.

(Adds Article 27, encompassing Section 1700.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

Adopted

[Video Display Terminals]

Resolution endorsing the Video Display Terminal Worker Safety Ordinance Advisory Committee 1994 Annual Report; urging Mayor to ensure that adequate funding be provided to city departments to comply with all provisions of the VDT ordinance; urging the Mayor to direct city administrators and department heads to attend VDT education and training programs; urging Mayor to direct city departments to establish joint employee/management VDT compliance committees; urging the Mayor to direct any city department with an existing health and safety committee to include a minimum of two seats for VDT users. (Supervisor Alioto)

File 30-94-22.1, Resolution No. 564-95

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

[Golden Gate Park Master Plan]

Resolution urging the Mayor to urge the Recreation and Park Commission to reject the recommended closure of the Sunset Boulevard entrance to Golden Gate Park, and the prohibition of left turns eastbound from Martin Luther King, Jr. Drive onto Crossover Drive as outlined in the Circulation Plan, Objective III, of the Golden Gate Park Master Plan Proposal. (Supervisors Alioto, Shelley, Teng, Bierman)

File 193-95-2, Resolution No. 584-95

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 10.

Absent: Supervisor Hsieh - 1.

In connection with the above item, Supervisors Teng, Bierman requested to be added as co-sponsors.

Recommendations of Housing and Land Use Committee

Passed for Second Reading

[Speed Limit]

Ordinance amending Traffic Code, concerning the speed limits on Cargo Way, Hunters Point Boulevard, and a portion of Innes Avenue. (Department of Parking and Traffic)

File 124-95-2, Ordinance No.

(Deletes Section 174.05;  
Adds Sections 176.36 through 176.38.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 10.

Absent: Supervisor Hsieh - 1.

Adopted

[Liquor License, Chiotras Market, 858 Rhode Island]  
Resolution determining that the issuance of an alcoholic beverage control license to Chiotras Market will serve the convenience and necessity of the City and County, in accordance with Section 23958.4 of the California Business and Professions Code. (Housing and Land Use Committee)

File 223-95-6, Resolution No. 587-95

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

From Rules Committee  
With Recommendation "Do Submit"

(Pursuant to the provisions of Rule 5.5 of the Board's Rules of Order, at least seven days must intervene between the first appearance of a proposed Charter amendment before the Board as a referral from Committee and any Board order of submission to the electorate.

In accordance therewith, consideration of the following proposed Charter amendment appropriately may be continued at least one week.)

Consideration Continued

[Charter Amendment - Youth Commission]  
Charter amendment (First Draft) adding Sections 3.720 through 3.720-2, to establish a Youth Commission to advise the Board of Supervisors on issues relating to youth. (Supervisor Alioto)

File 235-95-1

Supervisor Alioto, seconded by Supervisor Kaufman, moved to continue consideration to July 24, 1995.

Motion to continue adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

From Select Committee on Charter Reform  
With Recommendation "Do Submit"

(Pursuant to the provisions of Rule 5.5 of the Board's Rules of Order, at least seven days must intervene between the first appearance of a proposed Charter amendment before the Board as a referral from Committee and any Board order of submission to the electorate.

In accordance therewith, consideration of the following proposed Charter amendment appropriately may be continued at least one week.)

Consideration Continued as Amended

[Ballot Measure, New Charter]  
Charter amendment (Third Draft, as amended July 11 and July 17, 1995) to repeal the 1932 Charter and to enact a new Charter. (Supervisor Kaufman, Leal, Teng, Kennedy)

File 281-94-1

Supervisor Kaufman, seconded by Supervisor Kennedy, moved to amend page 17, under "Zoning Administrator" by deleting the "line running through the last seven lines" of text and retaining the language in the proposed charter.

Motion to amend adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Shelley, Teng - 10.

Absent: Supervisor Migden - 1.

Supervisor Kaufman, seconded by Supervisor Leal, moved to continue consideration as amended to July 24, 1995.

Motion to continue adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Shelley, Teng - 10.

Absent: Supervisor Migden - 1.

In connection with the above item, Supervisors Leal, Teng, Kennedy requested to be added as co-sponsors.

PUBLIC COMMENT

The privilege of the floor was granted to the following persons:

Patricia Vaughney, liquor license, 4221 Chestnut, oppose;  
Skip Conrad, San Francisco Fair fee waiver;  
Robin Emery, Parking and Traffic management;  
Female speaker, International Art Symphony;  
David Miles, San Francisco Fair fee waiver;  
Jesus Gumsan, discrimination case C-94-2445.

There being no one else present wishing to speak, the President declared the public comment portion of the meeting closed.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures were introduced at a prior meeting of the Board with action requested at this meeting. Any Supervisor may require these measures to go to committee unless a motion to suspend the rules is adopted by eight votes (or a unanimous vote if only six or seven members are present). An "aye" vote is (a) a vote in favor of suspending the rule requiring reference to committee, and (b) a vote in favor of adoption of the measures. Eight votes (or a unanimous vote if only six or seven members are present) is required.

Severed From For Adoption Without Committee Reference Calendar

Supervisor Kennedy requested that the following measure be severed from the For Adoption Without Committee Reference Calendar and considered separately.

Adopted

[Limitation on Liability, Peoplesoft, Inc.]  
Resolution authorizing the City and County, acting through the appropriate city officials, to enter into a license agreement with Peoplesoft, Inc. for a payroll package to process pension payments. (Supervisor Shelley)

File 172-95-30, Resolution No. 550-95

(July 10, 1995 - Introduced in Board for consideration on July 17, 1995.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Kaufman, Kennedy, Leal, Migden, Shelley - 9.

Absent: Supervisors Hsieh, Teng - 2.

The Board thereupon resumed its consideration of the following items on the For Adoption Without Committee Reference Calendar.

For Adoption Without Committee Reference Calendar

Adopted

[Street Fair Police Fee Waiver]  
Resolution waiving ISCOIT police fees for the San Francisco Fair for the years 1993, 1994 and 1995;

supporting the application of the San Francisco Fair to ISCOTT for its 1995 celebration at Yerba Buena Gardens, with the provision that the San Francisco Fair and representatives from the Moscone Center agree to cooperate in its production efforts. (Supervisors Hallinan, Alioto, Bierman)

File 42-95-1, Resolution No. 570-95

(July 10, 1995 - Introduced in Board for consideration on July 17, 1995.)

Adopted.

In connection with the above item, Supervisor Bierman requested to be added as co-sponsor.

[Cryptosporidium Task Force]

Resolution establishing a Cryptosporidium Task Force of 17 members, which would create proposed guideline for a regular system of notifying the public about risks from the cryptosporidium parasite in the water supply, which guidelines shall specifically address the special concerns of the immune-compromised community; requesting that the task force submit the proposed immediately upon their completion, with the goal of having them no later than the end of the calendar year; the task force shall terminate when the City has in place cryptosporidium guidelines. (Supervisors Migden, Alioto, Bierman)

File 174-95-5, Resolution No. 580-95

(July 10, 1995 - Introduced in Board for consideration on July 17, 1995.)

Adopted.

In connection with the above item, Supervisor Bierman requested to be added as co-sponsor.

[Final Map, 2906 San Bruno Avenue]

Motion approving final map of 2906 San Bruno Avenue, a condominium project, being a resubdivision of Lot 28 in Assessor's Block 6121, and adopting findings pursuant to City Planning Code Section 101.1. (Department of Public Works)

File 58-95-15

(June 26, 1995 - Introduced in Board for consideration on July 17, 1995.)

Adopted.

The foregoing items on the For Adoption Without Committee Reference Calendar were adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Kaufman, Kennedy, Leal, Migden, Shelley - 9.

Absent: Supervisors Hsieh, Teng - 2.

#### IMMEDIATE ADOPTION CALENDAR

These measures are being introduced at this meeting. A unanimous vote is required for adoption today. Any Supervisor may require any of these measures to go to committee.

Adopted

[Leaves of Absence]

Resolution granting leaves of absence to various city and county officers with permission to leave the state. (Clerk of the Board)

File 1-95-27, Resolution No. 551-95

(Sue Bierman, member, Board of Supervisors, July 1 - July 9; Tom Hsieh, member, Board of Supervisors, August 14-21, August 28 and September 5; Susan Leal, member, Board of Supervisors, July 21 - 23; Marie K. Brooks, Vice President, Airports Commission, July 29 - August 30; Anne Halsted, Commissioner, Port of San Francisco, July 12 -19; Louise H. Renne, City Attorney, City and County of San Francisco, July 8 - 16, 1995.)

Adopted.

The foregoing items on the Immediate Adoption Calendar were adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Kaufman, Kennedy, Leal, Migden, Shelley - 9.

Absent: Supervisors Hsieh, Teng - 2.

OFF-CALENDAR LEGISLATION

ROLL CALL FOR INTRODUCTION OF MEASURES AND COMMUNICATIONS  
NOT CONSIDERED OR REPORTED ON BY COMMITTEE

Referred to Committee

[Municipal Attorney's Association v. CCSF]

Ordinance approving the settlement of litigation and implementing the provisions of an arbitration award as amended by agreement between the Municipal Attorney's Association and the City and County of San Francisco for the period July 1, 1995 through June 30, 1998. (Superior Court No. 970275) Supervisor Shelley presented. Referred to Government Efficiency/Labor Committee.

File 045-95-029.

[Procurement and Other Procedures]

Ordinance amending Administrative Code by deleting Sections 4.16, relating to seat belts, deleting Sections 8.12, 8.12-1, 8.13-1, 8.13-2, relating to sale of City documents, deleting Sections 21.9, 21.18-1, 21.18-2, 21.28 and 21.53, adding Sections 21.35 and 21.36, and amending Sections 21.2, 21.3, 21.4-1, 21.5, 21.6, 21.7, 21.8, 21.10, 21.11, 21.11-1, 21.12, 21.13, 21.15, 21.17, 21.18, 21.20, 21.22, 21.26, 21.32, 21.34, and 21.46, relating to procurement procedures. Supervisor Hallinan presented. Referred to Government Efficiency/Labor Committee.

File 097-95-037

[Domestic Partnership Special Fund]

Ordinance amending Administrative Code Section 62.8 to increase filing fees for domestic partnership to provide support for domestic violence programs which include those that target lesbians and gay men. Supervisor Migden presented. Referred to Budget Committee.

File 097-95-038.

[Regulating Gun Dealers and Sale of Ammunition]

Ordinance amending Municipal Code, Part II, Chapter VIII (Police Code) by amending Article Nine, Sections 613 and 613.10 thereof, to provide age restrictions for the sale, lease or other transfer of firearms, firearm ammunition, and to require gun dealers to post notices of such age restrictions. Supervisor Hallinan presented. Referred to Health/Public Safety/Environment Committee.

File 121-95-005.

Referred to Board

[Health Care]

Resolution supporting the goals of the Health Care Is A Human Right March and declaring August 20, 1995 as "Health Care Is A Human Right Day" in San Francisco. Supervisor Ammiano presented. Referred to Board for Adoption Without Committee Reference Calendar July 24, 1995.

File 004-95-016.

[Commendation]

Resolution commending the National Gay and Lesbian Task Force Youth Leadership Training Institute. Supervisors Migden, Leal, Ammiano, Teng, Alioto, Bierman, Hallinan, Kaufman, Shelley presented. Referred to Board for Adoption Without Committee Reference Calendar July 24, 1995.

File 006-95-067.

Referred to Committee

[State Legislation; AB 5, AB 52, SB 279]

Resolution urging City, School District and Community College officials to take steps to educate the public and their consumers about their legal rights as they relate to Proposition 187; urging the School District and Community College District to continue to seek judicial clarification of issues related to Proposition 187; declaring it to be policy of the Board that City employees should not be



disciplined by the City for failing to comply with the provisions of Proposition 187; opposing State bills AB 5, AB 52 and SB 279; urging the Mayor and the State Legislative Lobbyist to convey this message to State and other local officials. Supervisors Teng, Ammiano, Kaufman, Hallinan, Bierman, Shelley presented. Referred to Government Efficiency/Labor Committee with request it be considered at the July 25, 1995 meeting.

File 012-95-043.

Referred to Board

[Federal Safe Drinking Water Act]  
Resolution urging the Mayor to direct the City's Lobbyist to lobby for the retention of the Federal Safe Drinking Water Act. Supervisors Migden, Alioto presented. Referred to Board for Adoption Without Committee Reference Calendar July 24, 1995.

File 013-95-021.

Referred to Committee

[Hold Harmless]  
Resolution authorizing the Port to hold Andrew Associates harmless for claims arising out of the management of the Roundhouse Plaza Office Complex located at Lombard and Sansome Streets. Supervisor Hallinan presented. Referred to Government Efficiency/Labor Committee with request it be considered at the July 25, 1995 meeting.

File 172-95-032.

Referred to Board

[Liquor License, 199 Brannan Street]  
Resolution determining that issuance of a Type 42 On Sale Beer and Wine Public Premises License at 199 Brannan Street will serve the convenience and necessity of the people of the City and County of San Francisco, in accordance with Section 23958.4 of the California Business and Professions Code. Supervisor Hallinan presented. Referred to Board for Adoption Without Committee Reference Calendar July 24, 1995.

File 223-95-004.01.

[Unauthorized Use of Official Commission Status]  
Resolution urging the Mayor to inquire into the actions and activities of the Department of Building Inspection Commissioner Jamie Sanbonmatsu including but not limited to his possible violations of the Ralph M. Brown Act (California Government Code), and the unauthorized use of official Commission status to attempt to silence legitimate criticism of the Commission; urging the Mayor to take appropriate actions following the completion of his inquiry. Called from Government Efficiency and Labor Committee by Supervisor Kennedy, with direction to schedule for Board meeting of July 31, 1995.

File 228-95-004.

#### Charter Amendments:

##### Suspension of the Rules

Supervisor Hallinan, seconded by Supervisor Leal, moved that the time limits prescribed in Rule 5.5 of the Rules of Order of the Board of Supervisors be suspended to permit introduction of the following Charter amendment for consideration at the November 7, 1995 election.

Motion adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

##### Referred to Board Sitting As A Committee of the Whole

[Ballot Measure, Prevailing Wage Requirement]  
Draft charter amendment amending Section 7.204 to exempt from the Charter's prevailing wage requirements certain contracts for public works and improvements performed by certain types of non-profit organizations. Supervisors Hallinan, Leal, Bierman presented.

File 253-95-001.

##### Committee of the Whole

Supervisor Hallinan, seconded by Supervisor Leal, moved that the Board convene as a Committee of the Whole to consider the prevailing wage charter amendment on July 24, 1995.

Motion to convene as a Committee of the Whole adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

Referred to Board Sitting as a Committee of the Whole

In response to Supervisor Ammiano's inquiry, Deputy City Attorney Ted Lakey indicated that if the proposed charter amendment concerning the Office of Citizen Complaints contained in File 243-95-1 was amended substantially by the Rules Committee tomorrow, the matter would require new noticing and another public hearing. The Board may convene as a Committee of the Whole to consider the amended legislation.

Supervisor Ammiano, seconded by Supervisor Alioto, moved that the Board convene as a Committee of the Whole to consider the charter amendment relating to the Office of Citizen Complaints on July 24, 1995.

Motion to convene as a Committee of the Whole adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

Requests for Hearings:

[GAIN Program]

Hearing to consider the Department of Social Services policy changes regarding the Greater Avenue to Independence (GAIN) program. Supervisors Ammiano, Teng presented. Referred to Health/Public Safety/Environment Committee.

File 107-95-003.

[Local Firearm Regulations]

Hearing to consider banning the sale of certain calibers of ammunition (.38 caliber, hollow point, .9mm); ban the possession, sale and transfer of Saturday Night Specials and prohibit the sale of firearms where there is a high density of alcohol outlets. Supervisor Kennedy presented. Referred to Economic Vitality/Social Policy Committee with request it be considered at the August 1, 1995 meeting.

File 121-95-006.

[Local Firearm Regulations]

Hearing to consider prohibiting the sale of firearms in residential districts and prohibiting gun shows within the City and County of San Francisco. Supervisor Kennedy presented. Referred to Economic Vitality/Social Policy Committee with request it be considered at the August 1, 1995 meeting.

File 121-95-007.

[Site 732-A, Fillmore District]

Hearing to consider the Redevelopment Agency's plans for site 732-A in the Fillmore District. Supervisor Hallinan presented. Referred to Government Efficiency/Labor Committee with request it be considered at the July 25, 1995 meeting.

File 161-95-009.

[Housing Authority Director]

Hearing to consider the appointment of the new Housing Authority Director. Supervisor Hallinan presented. Referred to Government Efficiency/Labor Committee with request it be considered at the July 25, 1995 meeting.

File 206-95-005.

Motions:

Referred to Board

[Needle Exchange Emergency]

Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program. Supervisors Alioto, Leal, Bierman, Shelley, Migden, Teng presented. Referred to Board for Adoption Without Committee Reference Calendar July 24, 1995.

File 030-95-001.15.

[Election]

Motion calling a municipal election and consolidating the municipal election and special bond election to be held on November 7, 1995. Supervisor Shelley presented. Referred to Board for Adoption Without Committee Reference Calendar July 24, 1995.

File 060-95-008.

[California Winter Storms of 1995]

Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the California Winter Storms of 1995. Supervisors Shelley, Teng presented. Referred to Board for Adoption Without Committee Reference Calendar July 24, 1995.

File 270-95-003.09.

[Police Department Aaron Williams Case]

Requesting Chief of Police Anthony Ribera appear before the Board on July 31, 1995 to respond to questions of the Board regarding the incident involving Aaron Williams and other related cases of death or serious injuries of citizens at the hands of the police. Supervisor Kennedy presented. Scheduled for July 31, 1995, at 2:00 p.m. at the direction of the President.

File 207-95-010.01.

Introduced by the President at the Request of Departments

Ordinances Referred to Committee

File 034-95-001. [Sidewalk Width Regulations, Castro Street] Ordinance amending Ordinance No. 1061 entitled "Regulating the Width of Sidewalks" by adding thereto Section No. 1518 changing official widths of sidewalks on Castro Street Bus Bulbs Project as shown on the Department of Public Works Drawings labeled Q-20-245 and Q-20-246; and making findings pursuant to Planning Code Section 101.1. (Department of Public Works) Referred to Housing and Land Use Committee.

File 041-95-003. [Assessment Costs, Sidewalk/Curb Repairs] Resolution confirming report of assessment costs submitted by the Director of Public Works for sidewalk and curb repairs ordered to be performed by said Director pursuant to Sections 707 and 707.1 of the Public Works Code, the costs thereof having been paid for out of a revolving fund. (Department of Public Works) Scheduled for public hearing before Board on July 31, 1995 at 3:00 p.m.

File 045-95-028. [Settlement of Litigation, Tracey Brister] Ordinance authorizing settlement of litigation of Tracey Brister against the City and County of San Francisco by payment of \$20,000. (City Attorney) Referred to Government Efficiency/Labor Committee.

File 065-95-003.01. [Lease Modification, Port/Redevelopment Agency] Ordinance approving Third Amendment to Option to Lease Real Property and Second Amendment to leases between the Port of San Francisco and the San Francisco Redevelopment Agency for properties in the South Beach Redevelopment Area. (Port Commission) Referred to Government Efficiency/Labor Committee.

File 065-95-007.01. [Lease Agreement, Port/Redevelopment Agency] Ordinance approving Agreement to Lease between the City and County of San Francisco operating by and through the San Francisco Redevelopment Agency for development and use of real property as a public park located at Seawall Lots 327-348, and the Embarcadero (at Folsom Street) also known as Rincon Point Park, and at Seawall Lot 347S; companion measure to File 65-95-7. (Port Commission) Referred to Government Efficiency/Labor Committee.

Resolutions Referred to Committee

File 028-95-011. [Emergency Repair, Seawall Lot 337] Resolution approving a declaration of emergency for contracted assistance to eliminate the fire hazard at 250 Terry Francois Boulevard, West Bay Resources, \$7,000. (Port Commission) Referred to Budget Committee.

File 048-95-019. [Settlement of Claim, Continental Savings of America] Resolution authorizing settlement of claim of Continental Savings of America in the sum of \$510,684.18 (consisting of \$354,643.74 in tax refunds and \$156,040.44 in interest) to be paid in four equal annual installments. (City Attorney) Referred to Government Efficiency/Labor Committee.

File 065-95-007. [Environmental Findings, Port/SFRA Lease Agreement] Resolution adopting findings in accordance with the California Environmental Quality Act in connection with that certain proposed agreement to lease real property to be entered into by the City operating by and through the San Francisco Port Commission and the San Francisco Redevelopment Agency; companion measure to File 65-95-7.1. (Port Commission) Referred to Government Efficiency/Labor Committee.

File 095-95-001. [Annual Audit, Controller's Books] Resolution ordering annual audit of Controller's books, declaring intention of the Board of Supervisors to order an annual audit of Controller's books and to exercise the final one year renewal option of a contract with a consortium of accounting firms. (Controller) Referred to Government Efficiency/Labor Committee.

File 143-95-002. [Federal Grant, "COPS MORE" Program] Resolution authorizing the Chief of Police of the City and County of San Francisco to retroactively apply for, accept and expend funds in the amount of Four Million Four Hundred Seventy Five Thousand Eight Hundred Dollars (\$4,475,800), for new funding for a one year project entitled, "Community Oriented Policing Services-Making Officer Redeployment Effective" (COPS-MORE), plus a hard match of Two Million Four Hundred Ninety Three Thousand Five Hundred Ten Dollars (\$2,493,510). (Police Department) Referred to Government Efficiency/Labor Committee.

File 143-95-003. [Federal Grant, "COPS AHEAD" Program] Resolution authorizing the Chief of Police of the City and County of San Francisco to retroactively apply for, accept and expend funds in the amount of One Million Nine Hundred Fifty Thousand Dollars (\$1,950,000), for new funding for a three year project entitled, "Community Oriented Policing Services-Accelerated Hiring, Education, and Development Program" (COPS-AHEAD), plus a hard match of Three Million Six Hundred Twenty-Nine Thousand Six Hundred Twenty Dollars (\$3,629,620). (Police Department) Referred to Government Efficiency/Labor Committee.

File 172-95-014.01. [Amended State Hold Harmless Medi-Cal Agreement] Resolution authorizing the Department of Public Health, Community Substance Abuse Services, to enter into an amended hold harmless Medi-Cal agreement retroactive to July 1, 1994 for the term July 1, 1994 through June 30, 1995 with the State of California, Department of Alcohol and Drug Programs in the amended amount of \$5,376,526 as a condition of receiving State Medi-Cal funds for substance abuse treatment, authorizing and designating the Director of Substance Abuse Services to sign said agreement. (Department Public Health) Referred to Government Efficiency/Labor Committee.

File 172-95-014.02. [Hold Harmless/Net Negotiated Amount Agreement] Resolution authorizing the Department of Public Health, Community Substance Abuse Services to enter into an amended hold harmless and Net Negotiated Amount Agreement retroactive to July 1, 1994 for the term July 1, 1994 through June 30, 1997 with the State of California, Department of Alcohol and Drug Programs as a condition of receiving \$10,784,648 in State funds for Substance Abuse Treatment; authorizing and designating Larry Meredith, Ph.D., Director of Substance Abuse Services, to sign said Agreement and to approve contract amendments for transfers of less than ten percent (10%) of the contracted amount. (Department of Public Health) Referred to Government Efficiency/Labor Committee.

File 172-95-031. [Transit Fare Agreement, MUNI's Fast Pass on BART] Resolution approving a Special Transit Fare Agreement between the City and County of San Francisco and the San Francisco Bay Area Rapid Transit District, authorizing the continued acceptance and use of the MUNI Fast Pass for intra-San Francisco trips on BART. (Public Transportation Commission) Referred to Government Efficiency/Labor Committee.

File 170-95-009. [General Obligation Bonds Definitive Interest Rates] Draft Motion awarding bonds and fixing definitive interest rates for General Obligation Bonds (Public Safety Improvement Projects, 1990), Series 1995A; and General Obligation Bonds (Golden Gate Park Improvements, 1992), Series 1995B. (Chief Administrative Officer) Referred to Budget Committee.

#### Requests Granted

There being no objection, the Board directed the Clerk to comply with the following requests:

By Supervisor Alioto, that letter be sent to Redevelopment Agency requesting report on matters of concern to homeowners in the C. Hillsdale Village Development.

By Supervisor Kennedy, that letter be sent to His Honor, the Mayor, requesting report be submitted in two weeks to the Board of Supervisors on the status of the job Corps.

By Supervisor Kennedy, that letter be sent to Chief of Police Anthony Ribera requesting his appearance before the Board on July 31, 1995 to respond to questions of the Board regarding the incident involving Aaron Williams and other related cases of death or serious injuries of citizens at the hands of the police and that the Clerk ensure that the letter is hand delivered and faxed with confirmation of receipt by the Police Department.

By Supervisor Kennedy, that the City Attorney prepare ordinance banning the sale of certain calibers of ammunition (.38 caliber, hollow point, .9mm); ban the possession, sale and transfer of Saturday Night Specials and prohibit the sale of firearms where there is a high density of alcohol outlets. File 121-95-6.

By Supervisor Kennedy, that the City Attorney prepare ordinance prohibiting the sale of firearms in residential districts and prohibiting gun shows within the City and County of San Francisco. File 121-95-007.

Motions Adopted

Motion that the Board adjourn its meeting this date out of respect to the memory of the following deceased:

Josephine Schultz (Supervisor Shelley)  
Henry Don Stewart (Supervisor Hallinan)  
Peter Eulate (Supervisor Migden)  
Althya Clark Youngman (Supervisor Bierman)  
Alfonso Zirpoli (By the entire Board)  
William Krider (Supervisor Ammiano)

File 2-95-27

Unanimously adopted by a rising vote.

ADJOURNMENT

There being no further business, the Board at the hour of 4:22 p.m. adjourned.

John L. Taylor, Clerk

N.B. This Journal of Proceedings sets forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on September 5, 1995.

I, John L. Taylor, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Journal of Proceedings of said Board on the date stated and was approved as recited.

John L. Taylor  
Clerk of the Board of Supervisors



Monday, July 24, 1995

# **Journal of Proceedings**

*The Minutes of the*

## **Board of Supervisors**

City and County of San Francisco

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JOURNAL OF PROCEEDINGS

BOARD OF SUPERVISORS

\_\_\_\_\_  
Monday, July 24, 1995 - 2:00 p.m.  
\_\_\_\_\_

The Board of Supervisors of the City and County of San Francisco met in regular session on the above date with President Kevin Shelley presiding.

CALLING THE ROLL

The meeting was called to order at 2:15 p.m. On call of the roll, the following Supervisors were noted present:

Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Leal, Migden, Shelley - 9.

Noted absent at first roll call:

Supervisors Kennedy, Teng - 2.

Quorum present.

Supervisor Kennedy excused, on official leave of absence.

Supervisor Teng was noted present at 2:17 p.m.

APPROVAL OF JOURNALS

There being no errors, corrections or omissions, Supervisor Migden, seconded by Supervisor Kaufman, moved that the Journal of Proceedings for Monday, May 22, 1995, be approved.

Motion carried by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Leal, Migden, Shelley - 9.

Absent: Supervisors Kennedy, Teng - 2.

CONSENT CALENDAR

Recommendation of Budget Committee

Finally Passed

[Appropriation, Public Works]

Ordinance appropriating \$200,000, Department of Public Works, of parking revenue to capital improvement project for fiscal year 1995-96 (Clay/Washington parcel rezoning; providing that at least one half of the Clay/Washington Street parcel be reserved for public open space); and placing a reserve on \$101,095. (Supervisors Shelley, Kaufman, Teng, Hsieh)

File 101-95-3, Ordinance No. 249-95

Finally passed.

Recommendations of Government Efficiency and Labor Committee

Finally Passed

[Oceanside Water Pollution Control Plant Lawsuit]

Ordinance approving the settlement of Homer J. Olsen and Ohbayashi Corporation v. City and County regarding the construction of the Oceanside Water Pollution Control Plant. (City Attorney)

File 45-95-25, Ordinance No. 245-95

(Superior Court of California, County of Alameda, Northern Division, Docket No. 727093-8.)

Finally passed.

[Sublease Amendment, 25 Van Ness Avenue]

Ordinance authorizing and approving an amendment of sublease of City-owned property at 25 Van Ness Avenue, portion of lower level (Lot 4, Block 834) to the New Conservatory Children's Theatre Company and School, a non-profit corporation, commencing retroactively on May 15, 1995. (Real Estate Department)

File 65-95-5, Ordinance No. 247-95

Finally passed.

[Memorandum of Understanding]

Ordinance implementing the provisions of an amendment to the Memorandum of Understanding between the Service Employees International Union, AFL-CIO, Locals 250, 535 and 790 and the City and County to be effective July 1, 1995. (Supervisors Hsieh, Kaufman, Bierman, Alioto, Ammiano)

File 93-95-49, Ordinance No. 248-95

Finally passed.

[Compensation, Superior Court, FY 1995-96]

Ordinance setting schedules of compensation and other economic benefits for certain classifications of persons employed by the Superior Court for the City and County for fiscal year 1995-96. (Municipal Court)

File 106-95-4, Ordinance No. 250-95

(Fiscal Impact.)

Finally passed.

[Compensation, Superior Court, FY 1995-96]

Ordinance setting schedules of compensation and other economic benefits for fiscal year 1995-96 for certain classifications of persons employed by the Superior Court for the City and County. (Superior Court)

File 106-95-7, Ordinance No. 251-95

Finally passed.

[Lead Abatement Education Agreement]

Ordinance authorizing and approving an agreement between the City and County and the San Francisco Community College District for the District to provide lead abatement training to private lead abatement contractors to allow those contractors to perform lead hazard abatement work on residential dwellings pursuant to a Lead Hazard Reduction Program funded through the Mayor's Office of Housing by the United States Department of Housing and Urban Development, which agreement includes a mutual indemnity clause. (Mayor's Office of Housing)

File 172-95-28, Ordinance No. 254-95

Finally passed.

Recommendation of Health, Public Safety and Environment Committee

Finally Passed

[Agreement, Health Service System - DPH]

Ordinance amending Health Code, to authorize an agreement between the Health Service System and Department of Public Health, making the department a preferred provider of medical services under the City administered health plan and imposing certain obligations on City officials. (Supervisor Alioto)

File 172-95-18, Ordinance No. 253-95

(Adds Article 27, encompassing Section 1700.)

Finally passed.

Recommendation of Housing and Land Use Committee

Finally Passed

[Speed Limit]

Ordinance amending Traffic Code, concerning the speed limits on Cargo Way, Hunters Point Boulevard, and a portion of Innes Avenue. (Department of Parking and Traffic)

File 124-95-2, Ordinance No. 252-95

(Deletes Section 174.05;

Adds Sections 176.36 through 176.38.)

Finally passed.

The foregoing items on the Consent Calendar were acted upon by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Leal, Migden, Shelley, Teng - 10.

Absent: Supervisor Kennedy - 1.

REGULAR CALENDAR

UNFINISHED BUSINESS

Appointment of President Pro Tempore

At the request of the President, Supervisor Hallinan assumed the Chair so the President could participate in the debate from the floor.

From the Clerk

Adopted as Amended

[Findings]

Motion adopting findings related to the appeal of the City Planning Commission's approval of Conditional Use Application No. 93.586C, which authorized the construction of a Planned Unit Development containing up to 33 dwelling units in up to 16 separate buildings on a site approximately 22,665 square feet in size, and proposing exceptions from Planning Code requirements for lot width, lot area, rear yard and permitted density, within an NC-2 Neighborhood Commercial District, and also within the San Francisco Coastal Zone Area and a 100-foot Height and Bulk District, on property located at 2900 Sloat Boulevard; Lots 1 and 2, in Assessor's Block 2516; adopting findings pursuant to City Planning Code Section 101.1 (Prop M); approving the issuance of the requested conditional use authorization, subject to additional conditions as imposed by the Board of Supervisors.

File 37-95-6.5

(July 17, 1995 - Consideration continued to July 24, 1995.)

Supervisor Shelley, seconded by Supervisor Teng, moved to amend page three, after line 8 and page four, lines 1 through 10, pursuant to memorandum from Alice Suet Yee Barkley to Supervisor Kevin Shelley dated July 14, 1995 (copy of which is contained in Board of Supervisors file).

Motion to amend adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Leal, Migden, Shelley, Teng - 10.

Absent: Supervisor Kennedy - 1.

Adopted as amended by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Leal, Migden, Shelley, Teng - 10.

Absent: Supervisor Kennedy - 1.

The President resumed the Chair.

Recommendations of Budget Committee

Finally Passed

[Annual Appropriation Ordinance, Fiscal Year 1995-96]  
Ordinance appropriating all estimated receipts and all estimated expenditures for the City and County of San Francisco for fiscal year ending June 30, 1996; companion measure to File 100-95-1. (Human Resources Department)

File 101-95-2, Ordinance No. 255-95

(Fiscal Impact.)

Finally passed by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Leal, Migden, Shelley, Teng - 10.

Absent: Supervisor Kennedy - 1.

[Annual Salary Ordinance]  
Ordinance enumerating positions in the Annual Budget and Appropriation Ordinance for the fiscal year ending June 30, 1996, continuing, creating or establishing these positions; enumerating and including therein all positions created by Charter or State law for which compensations are paid from City and County funds and appropriated in the Annual Appropriation Ordinance; authorizing appointments or continuation or appointments thereto; specifying and fixing the compensations and work schedules thereof; and authorizing appointments to temporary positions and fixing compensations thereof; companion measure to Files 100-95-1 and 101-95-2. (Human Resources Department)

File 102-95-2, Ordinance No. 256-95

(Fiscal Impact.)

Finally passed by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Leal, Migden, Shelley, Teng - 10.

Absent: Supervisor Kennedy - 1.

[Special Election, Bond Measures]  
Ordinance calling and providing for a Special Election to be held in the City and County on Tuesday, November 7, 1995, for the purpose of submitting to the voters of the City and County propositions to incur the following bonded debts of the City and County for the acquisition, construction or completion by the City and County of the following municipal improvements, to wit: \$63,590,000; \$29,245,000 and \$44,100,000 for acquisition, construction and/or reconstruction of certain improvements to City Hall, Steinhart Aquarium and related facilities and structures and to underground storage tanks owned by City and County; that estimated cost of said improvements is and will be too great to be paid out of ordinary annual income and revenue will require expenditures greater than the amount allowed by annual tax levy; reciting estimated costs of manner of holding such election and procedure for voting for or against the propositions; fixing maximum rate of interest on said bonds and providing for levy and collection of taxes to pay both principal and interest; prescribing notice to be given of such election; consolidating the Special Election with the General Election; and providing that the election precincts, voting places and officers for election shall be the same as for such General Election. (Supervisors Shelley, Hsieh, Kaufman, Alioto, Migden, Hallinan, Ammiano, Bierman, Leal, Kennedy, Teng)

File 60-95-5, Ordinance No. 246-95

Finally passed by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Leal, Migden, Shelley, Teng - 10.

Absent: Supervisor Kennedy - 1.

Adopted as Amended

[Gift Acceptance, National Service Blue Ribbon Commission]

((Resolution authorizing the National Blue Ribbon Commission to accept and expend a gift of \$970 and the expenditure of \$10,000 from various sources retroactively to facilitate the business of the Commission and directing the Clerk of the Board of Supervisors to reimburse the Commission for monies to carry out its functions.)) (Supervisor Bierman)

Resolution authorizing the National Service Blue Ribbon Commission to accept gifts totaling \$970 and authorizing the Commission and the Clerk of the Board to expend \$10,970 received by the Commission in order to reimburse New College of California which acted as fiscal agent for the Commission.

File 38-95-3, Resolution No. 598-95

(Fiscal Impact.)

(July 17, 1995 - Consideration continued to July 24, 1995.)

Supervisor Bierman, seconded by Supervisor Teng, moved an amendment of the whole entitled, "Resolution authorizing the National Service Blue Ribbon Commission to accept gifts totaling \$970 and authorizing the Commission and the Clerk of the Board to expend \$10,970 received by the Commission in order to reimburse New College of California which acted as fiscal agent for the Commission."

Amendment of the whole adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Leal, Migden, Shelley, Teng - 10.

Absent: Supervisor Kennedy - 1.

Adopted as amended by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Leal, Migden, Shelley, Teng - 10.

Absent: Supervisor Kennedy - 1.

Recommendations of Government Efficiency and Labor Committee

Consideration Continued

[Prop J Contract, Security Services]

Resolution concurring with the Controller's certification that security services can be practically performed at the Department of Social Services by private contractor for lower cost than similar work performed by City and County employees. (Department of Social Services)

File 25-95-10, Resolution No.

(Fiscal Impact.)

(July 17, 1995 - Consideration continued to July 24, 1995.)

Supervisor Shelley, seconded by Supervisor Teng, moved to continue consideration to July 31, 1995.

Motion to continue adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Leal, Migden, Shelley, Teng - 10.

Absent: Supervisor Kennedy - 1.

[Prop J Contract, Security Services]

Resolution concurring with the Controller's certification that the weekend and holiday security guard services can be practically performed for the Department of Public Health, SFGH, Substance Abuse Services, by private contractor for a lower cost than similar work services performed by City and County employees. (Department of Public Health)

File 25-95-14, Resolution No.

(Fiscal Impact.)

(July 17, 1995 - Consideration continued to July 24, 1995.)

Supervisor Shelley, seconded by Supervisor Teng, moved to continue consideration to July 31, 1995.

Motion to continue adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Leal, Migden, Shelley, Teng - 10.

Absent: Supervisor Kennedy - 1.

From Rules Committee  
With Recommendation "Do Submit"

Ordered Submitted As Amended

[Charter Amendment - Youth Commission]  
Charter amendment (((First)) Second Draft) adding Sections 3.720 through ((3.720-2)) 3.720-3, to establish a Youth Commission to advise the Board of Supervisors on issues relating to youth. (Supervisors Alioto, Kennedy, Bierman, Ammiano, Teng, Hallinan, Shelley)

File 235-95-1

(July 17, 1995 - Consideration continued to July 24, 1995.)

Supervisor Alioto, seconded by Supervisor Bierman, moved an amendment of the whole entitled, "Charter amendment (Second Draft) adding Sections 3.720 through 3.720-3, to establish a Youth Commission to advise the Board of Supervisors on issues related to youth."

Motion to amend adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Leal, Migden, Shelley, Teng - 10.

Absent: Supervisor Kennedy - 1.

Second draft ordered submitted as amended by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Leal, Migden, Shelley, Teng - 10.

Absent: Supervisor Kennedy - 1.

In connection with the above item, Supervisors Bierman, Ammiano, Teng, Hallinan, Shelley requested to be added as co-sponsors.

From Select Committee on Charter Reform  
With Recommendation "Do Submit"

Ordered Submitted as Amended

[Ballot Measure, New Charter]  
Charter amendment (((Third) Draft, As Amended July 11 and July 17, 1995)) (Fourth Draft) to repeal the 1932 Charter and to enact a new Charter. (Supervisors Kaufman, Leal, Teng, Kennedy)

File 281-94-1

(July 17, 1995 - Consideration continued to July 24, 1995.)

Supervisor Migden, seconded by Supervisor Hsieh, moved to amend page 9, item 17, line three, after "rejected by" by inserting "a two-thirds vote of".

Motion to amend adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Leal, Migden, Shelley, Teng - 10.

Absent: Supervisor Kennedy - 1.

Supervisor Hsieh, seconded by Supervisor Leal, moved to amend page 11, item 3, by deleting entire item 3 as follows: "3. Supervising budget preparations, recommendations and program evaluations for all departments for consideration and action by the Mayor;" and renumbering remaining items four through 10 as "three through nine".

Motion to amend adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Leal, Migden, Shelley, Teng - 10.

Absent: Supervisor Kennedy - 1.

Fourth draft ordered submitted as amended by the following vote:

Ayes: Supervisors Alioto, Ammiano, Hallinan, Hsieh, Kaufman, Leal, Migden, Shelley, Teng - 9.

Noes: Supervisor Bierman - 1.

Absent: Supervisor Kennedy - 1.

#### NEW BUSINESS

#### Recommendations of Budget Committee

Passed for Second Reading

[Sales of and Grants of Easements]

Ordinance authorizing and approving sales of and grants of easements with respect to City-owned property (portions of Block 5269, Lots 7 and 8; and Block 5282, Lot 31) to the State of California Department of Transportation in connection with the retrofit and maintenance of the Interstate 280 Freeway. (Real Estate Department)

File 172-95-27, Ordinance No.

(Fiscal Impact.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Leal, Migden, Shelley, Teng - 10.

Absent: Supervisor Kennedy - 1.

Adopted

[Emergency Repairs]

Resolution authorizing expenditure of Water Department funds in the amount of \$150,000 for emergency repairs at City chlorination facilities. (Public Utilities Commission)

File 28-95-10, Resolution No. 597-95

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Leal, Migden, Shelley, Teng - 10.

Absent: Supervisor Kennedy - 1.

[Mortgage Credit Certificates]

Resolution authorizing an application to the California Debt Limit Allocation Committee to permit the issuance of Mortgage Credit Certificates (to assist first-time homebuyers in purchasing a single-family residence in San Francisco). (Supervisor Teng)

File 212-95-2, Resolution No. 585-95

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Leal, Migden, Shelley, Teng - 10.

Absent: Supervisor Kennedy - 1.

In connection with the above item, Supervisor Teng requested to be added as sponsor.

Recommendations of Rules Committee

Adopted

[Appointment]

Resolution appointing member to the Ballot Simplification Committee, for a new two-year term ending November 30, 1996. (Rules Committee)

File 92-94-49, Resolution No. 590-95

(Mary Jane Brinton, Seat No. 21203, representing League of Women Voters, vice Kay Blalock, term expired.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Leal, Migden, Shelley, Teng - 10.

Absent: Supervisor Kennedy - 1.

[Appointment]

Resolution appointing member to the Delinquency Prevention Commission for a new four-year term ending December 31, 1997. (Rules Committee)

File 92-94-65.3, Resolution No. 591-95

(Ashok Kumar Bhatt, Seat No. 21820, vice Jennifer DeSousa, term expired.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Leal, Migden, Shelley, Teng - 10.

Absent: Supervisor Kennedy - 1.

[BART To the Airport Funding]

Resolution urging the Mayor to request the Airports Commission work with the Airline Transportation Association to encourage them to support the full funding request for the BART extension to the San Francisco International Airport. (Supervisors Shelley, Kennedy, Alioto)

File 27-95-10.1, Resolution No. 602-95

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Kaufman, Leal, Migden, Shelley, Teng - 9.

Absent: Supervisors Hsieh, Kennedy - 2.

[Appointment]

Resolution appointing member to the Bicycle Advisory Committee, for the unexpired portion of three-year term ending December 31, 1995. (Rules Committee)

File 92-95-19, Resolution No. 599-95

(Terry Rolleri, Seat No. 24311, bicyclist-at-large, vice Marilyn Hope Smulyan, resigned.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Kaufman, Leal, Migden, Shelley, Teng - 9.

Absent: Supervisors Hsieh, Kennedy - 2.



Appointment of President Pro Tempore

At the request of the President, Supervisor Hallinan assumed the Chair.

[Appointments]

Resolution appointing members to the City-Wide Alcoholism Advisory Board. (Rules Committee)

File 92-95-22, Resolution No. 600-95

(Rev. Timothy C. Downs, M.S., Seat No. 20604, vice Michael Hall, resigned, for the unexpired portion of the three-year term ending July 1, 1996.

Heather Bostian, Seat No. 20602, vice Maryann Fleming, resigned, for the unexpired portion of the three-year term ending July 1, 1996.

William Bisesto, Seat No. 20610, vice Louis J. Dunn, resigned, for the unexpired portion of the three-year term ending July 1, 1997.

M. Sean Smith, Seat No. 20612, vice Lynne A. Torres, resigned, for the unexpired portion of the three-year term ending July 1, 1997.

Marilyn Schrick, Seat No. 20608, vice Robert Strand, term expired, for a new three-year term ending July 1, 1998.

Lucille Ramstetter, Seat No. 20607, vice herself, term expired, for a new three-year term ending July 1, 1998.

Otis D. Turner, Seat No. 20606, vice himself, term expired, for a new three-year term ending July 1, 1998.

Linda Davis-Hill, Seat No. 20615, vice herself, term expired, for a new three-year term ending July 1, 1998.

Damun Gracenin, Ph.D, Seat No. 20609, vice himself, term expired, for a new three-year term ending July 1, 1998.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Kaufman, Leal, Migden, Teng - 8.

Absent: Supervisors Hsieh, Kennedy, Shelley - 3.

The President resumed the Chair.

SPECIAL ORDER - 3:00 P.M.

Board of Supervisors Sitting as a Committee of the Whole

Hearing Held

[Public Hearing]

Hearing of persons interested in or objecting to Charter amendment (Third Draft) amending Sections 3.530-2 and 8.343 and adding Section 3.539-1, restructuring various duties and functions of the Office of Citizens Complaints.

File 243-95-1

The privilege of the floor was granted to the following persons:

Department Representatives: Chief of Police Anthony Ribera; Wendell Pryor, Director, Department of Human Resources; Lance Bayer, Director, Office of Citizen Complaints.

In support: John Crew; Carrie Lucas; LaWanna Preston; Al Stanton; Michael Hillson; Al Triguero; Howard Wallace, Andrew Blackbone; Maria Ryan; Peggy Sue; Latin Police Officers Association.

Support Office of Citizen Complaints amendments: Peggy Sue; Jill Treger; Gerald Costovitch.

Support arbitration amendment: Howard Wallace; Vince Quackenbush.

Oppose arbitration amendment: Commissioner Harry W. Low; Commissioner Clothilde W. Hewlett; Terry Hannigan; Peggy Sue; Carol Ito; Jill Treger; Gerald Costovitch; Manual Rodriguez; Belinda Cur; Maria Ryan; Gerald Costovitch.

Committee of the Whole Rise and Report Without Recommendation

Supervisor Ammiano, seconded by Supervisor Bierman, moved that the Committee of the Whole rise and report without recommendation.

Motion adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Leal, Migden, Shelley, Teng - 10.

Absent: Supervisor Kennedy - 1.

(Pursuant to the provisions of Rule 5.5 of the Board's Rules of Order, at least seven days must intervene between the first appearance of a proposed Charter amendment before the Board as a referral from Committee and any Board order of submission to the electorate.)

In accordance therewith, consideration of the following proposed Charter amendments appropriately may be continued at least one week.)

Consideration Continued as Amended

[Charter Amendment - Office of Citizen Complaints]  
((Charter amendment (Third Draft) amending Sections 3.530-2 and 8.343 and adding Section 3.539-1, restructuring various duties and functions of the Office of Citizen Complaints.)) (Supervisor Ammiano)

Charter amendment (Fourth Draft) amending Sections 3.530-2 and 8.343 and adding Section 3.539-1, requiring the Mayor to appoint a nominee of the police commission and the board of supervisors to approve the director of the office of citizens complaints, requiring mandatory staffing levels of the office of citizen complaints, requiring the director of the office of citizen complaints to report to the President of the Board of Supervisors quarterly, requiring that settlements disbursed by the City and County of San Francisco as a result of police misconduct be taken from the Police Department budget, restricting promotions of police officers who are disciplined for certain offenses, eliminating police commission review of disciplinary cases where there has been no complaint sustained by the office of citizen complaints, and establishing arbitration appeal process for certain types of discipline of police officers.

File 243-95-1

Supervisor Ammiano, seconded by Supervisor Teng, moved an amendment of the whole entitled, "Charter amendment (Fourth Draft) amending Sections 3.530-2 and 8.343 and adding Section 3.539-1, requiring the Mayor to appoint a nominee of the police commission and the board of supervisors to approve the director of the office of citizens complaints, requiring mandatory staffing levels of the office of citizen complaints, requiring the director of the office of citizen complaints to report to the President of the Board of Supervisors quarterly, requiring that settlements disbursed by the City and County of San Francisco as a result of police misconduct be taken from the Police Department budget, restricting promotions of police officers who are disciplined for certain offenses, eliminating police commission review of disciplinary cases where there has been no complaint sustained by the office of citizen complaints, and establishing arbitration appeal process for certain types of discipline of police officers."

Amendment of the whole adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Leal, Migden, Shelley, Teng - 10.

Absent: Supervisor Kennedy - 1.

Supervisor Ammiano, seconded by Supervisor Teng, moved to continue consideration as amended (Fourth Draft) to July 31, 1995.

Motion to continue adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Leal, Migden, Shelley, Teng - 10.

Absent: Supervisor Kennedy - 1.

SPECIAL ORDER - 3:00 P.M.

Board of Supervisors Sitting as a Committee of the Whole

Hearing Held

[Public Hearing]

Hearing of persons interested in or objecting to Charter amendment (Draft) amending Section 7.204 to exempt from the Charter's prevailing wage requirements certain contracts for public works and improvements performed by certain types of non-profit organizations.

File 253-95-1

The privilege of the floor was granted to the following persons:

Judge Klein; Stan Smith; Jeffrey Mitler; Lionnel; Mr. Mendoza, Natalie Maguire; Ann Cochran; Mohamad Rulee.

Committee of the Whole Rise and Report Without Recommendation

Supervisor Hallinan, seconded by Supervisor Leal, moved that the Committee of the Whole rise and report without recommendation.

Motion adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Leal, Migden, Shelley, Teng - 10.

Absent: Supervisor Kennedy - 1.

(Pursuant to the provisions of Rule 5.5 of the Board's Rules of Order, at least seven days must intervene between the first appearance of a proposed Charter amendment before the Board as a referral from Committee and any Board order of submission to the electorate.

In accordance therewith, consideration of the following proposed Charter amendment appropriately may be continued at least one week.)

Ordered Submitted as Amended

[Ballot Measure, Prevailing Wage Requirement]

Charter amendment (Second Draft) amending Section 7.204 to exempt from the Charter's prevailing wage requirements certain contracts for public works and improvements performed by certain types of non-profit organizations. (Supervisors Hallinan, Leal, Bierman, Alioto, Kennedy)

File 253-95-1

Supervisor Hallinan, seconded by Supervisor Leal, moved that the time limit under Rule 5.5 of the Rules of Order of the Board of Supervisors be suspended to permit Board action on this charter amendment today.

Motion adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Leal, Migden, Shelley, Teng - 10.

Absent: Supervisor Kennedy - 1.

Supervisor Hallinan, seconded by Supervisor Leal, moved to amend page two, line 14, after "however, the" by inserting "Board of Supervisors may by resolution exempt from" and amend page two, line 15, after "requirement" by deleting "shall not apply to".

Motion to amend adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Leal, Migden, Shelley, Teng - 10.

Absent: Supervisor Kennedy - 1.

Second draft ordered submitted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Leal, Migden, Shelley, Teng - 10.

Absent: Supervisor Kennedy - 1.

PUBLIC COMMENT

The privilege of the floor was granted to the following persons:

Al Simmons, placement of Black children in foster care;  
Jerry Szmyd, power plant, southeast area;  
Timothy G. Sullivan, wrongful death of Brian Sullivan;  
Gregory Wiggins, police brutality.

There being no one else present wishing to speak, the President declared the public comment portion of the meeting closed.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures were introduced at a prior meeting of the Board with action requested at this meeting. Any Supervisor may require these measures to go to committee unless a motion to suspend the rules is adopted by eight votes (or a unanimous vote if only six or seven members are present). An "aye" vote is (a) a vote in favor of suspending the rule requiring reference to committee, and (b) a vote in favor of adoption of the measures. Eight votes (or a unanimous vote if only six or seven members are present) is required.

Adopted

[Health Care]

Resolution supporting the goals of the Health Care Is A Human Right March and declaring August 20, 1995 as "Health Care Is A Human Right Day" in San Francisco. (Supervisors Ammiano, Alioto, Teng, Bierman, Leal, Shelley)

File 004-95-016, Resolution No. 593-95

(July 17, 1995 - Introduced in Board for consideration on July 24, 1995.)

Adopted.

In connection with the above item, Supervisors Teng, Bierman, Leal, Shelley requested to be added as co-sponsors.

[Commendation]

Resolution commending the National Gay and Lesbian Task Force Youth Leadership Training Institute. (Supervisors Migden, Leal, Ammiano, Teng, Alioto, Bierman, Hallinan, Kaufman, Shelley, Hsieh)

File 006-95-067, Resolution No. 594-95

(July 17, 1995 - Introduced in Board for consideration on July 24, 1995.)

Adopted.

In connection with the above item, Supervisor Hsieh requested to be added as co-sponsor.

[Federal Safe Drinking Water Act]

Resolution urging the Mayor to direct the City's Lobbyist to lobby for the retention of the Federal Safe Drinking Water Act. (Supervisors Migden, Alioto, Bierman, Leal, Shelley)

File 013-95-021, Resolution No. 596-95

(July 17, 1995 - Introduced in Board for consideration on July 24, 1995.)

Adopted.

In connection with the above item, Supervisors Bierman, Leal, Shelley requested to be added as co-sponsors.

[Liquor License, 199 Brannan Street]

Resolution determining that issuance of a Type 42 On Sale Beer and Wine Public Premises License at 199 Brannan Street will serve the convenience and necessity of the people of the City and County of San Francisco, in accordance with Section 23958.4 of the California Business and Professions Code. (Supervisors Hallinan, Teng, Hsieh)

File 223-95-004.01, Resolution No. 586-95

(July 17, 1995 - Introduced in Board for consideration on July 24, 1995.)

Adopted.

In connection with the above item, Supervisors Teng, Hsieh requested to be added as co-sponsors.

[Needle Exchange Emergency]

Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program. (Supervisors Alioto, Leal, Bierman, Shelley, Migden, Teng)

File 030-95-001.15

(July 17, 1995 - Introduced in Board for consideration on July 24, 1995.)

Adopted.

[Election]

Motion calling a municipal election and consolidating the municipal election and special bond election to be held on November 7, 1995. (Supervisor Shelley)

File 060-95-008

(July 17, 1995 - Introduced in Board for consideration on July 24, 1995.)

Adopted.

The foregoing items on the For Adoption Without Committee Reference Calendar were adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Hsieh, Kaufman, Leal, Migden, Shelley, Teng - 8.

Absent: Supervisors Alioto, Hallinan, Kennedy - 3.

#### IMMEDIATE ADOPTION CALENDAR

These measures are being introduced at this meeting. A unanimous vote is required for adoption today. Any Supervisor may require any of these measures to go to committee.

Adopted

[Leaves of Absence]

Resolution granting leaves of absence to various city and county officers with permission to leave the state. (Clerk of the Board)

File 1-95-28, Resolution No. 566-95

(Katheryn Fong, Commissioner, Human Rights Commission, August 7 -12 and August 21 - 25; Frankie Lee, Commissioner, Port of San Francisco, July 26 - August 5; Ghada N. Saliba, Commissioner, Human Rights Commission, August 21- September 3, 1995.)

Adopted.

The foregoing item on the Immediate Adoption Calendar was adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 8.

Absent: Supervisors Alioto, Hallinan, Hsieh - 3.

#### OFF-CALENDAR LEGISLATION

#### ROLL CALL FOR INTRODUCTION OF MEASURES AND COMMUNICATIONS NOT CONSIDERED OR REPORTED ON BY COMMITTEE

Referred to Committee

[Vacation, Sewer and Utilities Easement]

Ordinance ordering the vacation of a sewer and public utilities easement located within Block 735, Lot 26 (1096 Eddy Street). Supervisor Bierman presented. Referred to Budget Committee with request it be considered at the August 2, 1995 meeting.

File 082-95-001.01.

[Environmental Review Fees]

Ordinance amending Administrative Code Section 31.46A, to institute a surcharge to cover increased labor costs incurred for fiscal year 1995-96. Supervisor Hsieh presented on behalf of City Planning Commission. Referred to Budget Committee.

File 097-95-039.

[Appropriations, Department of Parking and Traffic]

Ordinance appropriating \$200,000, Department of Parking and Traffic, of Parking Revenue Funds to Capital Improvement Project for soil remediation at St. Mary's Square Garage, for fiscal year 1995-96. RO #95016. Supervisor Hsieh presented on behalf of Department of Parking and Traffic. Referred to Budget Committee.

File 101-95-008.

[Appropriation, Hetch Hetchy]

Ordinance appropriating \$650,000, Hetch Hetchy, of Hetch Hetchy Operating Funds to Capital Improvement Project to allow Hetch Hetchy to repair the Priest Reservoir Diversion Channel for fiscal year 1995-96. RO #95017. Supervisor Hsieh presented on behalf of Public Utilities Commission. Referred to Budget Committee.

File 101-95-009.

[Appropriations, Department of Social Services]

Ordinance appropriating \$55,000, Department of Social Services, of Federal Revenue to contractual services for the Independent Living Skills Program for fiscal year 1995-96. RO #95020. Supervisor Hsieh presented on behalf of Department of Social Services. Referred to Budget Committee.

File 101-95-010.

[Appropriations, Mayor's Office]

Ordinance appropriating \$38,171, Mayor's Office of Community Development, of Dispute Resolution Program Funds, to continue contracts for dispute resolution services in 1995-96; providing for ratification of action previously taken. RO #95018. Supervisor Hsieh presented on behalf of Mayor's Office of Community Development. Referred to Budget Committee.

File 101-95-011.

[Planning Fees]

Ordinance amending Planning Code by amending Section 358 to institute a surcharge to cover increased labor costs incurred for fiscal year 1996-96. Supervisor Hsieh presented on behalf of City Planning Commission. Referred to Budget Committee.

File 115-95-006.

[Tobacco Products Merchandising]

Ordinance amending Police Code by adding Article 46, Section 4600 through Section 4600.8, to prohibit self-service merchandising of tobacco products except in places to which minors have no access. Supervisor Alioto presented. Referred to Health/Public Safety/Environment Committee

File 121-95-008.

Referred to Board

[Commend, Come Into the Sun]

Resolution commending the Come Into The Sun/YWCA Girls Mentorship Program, located at the Western Addition YWCA, for its work on behalf of young women who are at risk or caught up in the juvenile justice system. Supervisor Hallinan presented. Referred to Board for Adoption Without Committee Reference Calendar July 31, 1995.

File 006-95-068.

[Commend, Sing Tao Daily]

Resolution commemorating the 20th Anniversary of the Sing Tao Daily in San Francisco. Supervisors Hsieh, Teng, Leal, Shelley, Kaufman presented. Referred to Board for Adoption Without Committee Reference Calendar July 31, 1995.

File 006-95-069.

[Commend, Paul Rudnick, Jeffrey Premiere]

Resolution commending Paul Rudnick, the coordinators of the premiere of "Jeffrey", the AIDS benefit counselors, the AIDS emergency fund and proclaiming July 31, 1995 at "Jeffrey Day" in San Francisco. Supervisors Leal, Migden, Ammiano presented. Referred to Board for Adoption Without Committee Reference Calendar July 31, 1995.

File 006-95-070.

Referred to Committee

[University of California Regents]

Resolution condemning the University of California Regents' elimination of affirmative action; condemning the abandonment by the U.C. Regents of their duty to exclude political influence from their deliberations; directing the Office of the City Attorney to prepare appropriate legal action to enjoin implementation of the Connerly proposal and calling for a review of contracts between the City and the U.C. system. Supervisors Teng, Alioto, Bierman, Kaufman, Ammiano, Hsieh, Leal, Migden, Shelley, Hallinan presented. Referred to Government Efficiency/Labor Committee.

File 012-95-038.01.

[Vacation of Public Sewer/Utilities Easement]

Resolution declaring intention of the Board of Supervisors to vacate a sewer and public utilities easement located within Block 735, Lot 26 in exchange for a new utility easement; setting a hearing date for all persons interested in the proposed vacation. Supervisor Bierman presented. Referred to Budget Committee with request it be considered at the August 2, 1995 meeting.

File 082-95-001.

[Central Freeway Task Force]

Resolution amending Resolution No. 1019-94, as amended, which amended the Citizens' Advisory Task Force for the Central Freeway, by changing the five vacant positions from the original task force to be replaced with at-large seats. Supervisor Hallinan presented. Referred to Health/Public Safety/Environment Committee with request it be considered at the August 17, 1995 meeting.

File 174-95-002.01.

[Bayshore Hester Assessment District No. 95-1]

Resolution approving a preliminary engineer's report for a special assessment district, designated "Bayshore Hester Assessment District No. 95-1; calling a public meeting and public hearing thereon; directing the Clerk of the Board to provide notice thereof; and authorizing other official action in connection therewith. Supervisor Shelley presented. Referred to Budget Committee with request it be considered at the August 2, 1995 meeting.

File 251-95-002.

[Apostleship of the Sea Ministry]

Resolution urging Archbishop John Quinn not to close the Apostleship of the Sea which has been a haven for merchant seamen and a gathering place for organized labor for over fifty years. Supervisor Hallinan presented. Referred to Government Efficiency/Labor Committee.

File 254-95-001.

[Tax and Revenue Anticipation Notes]

Draft resolution approving and authorizing the borrowing of funds for fiscal year 1995-1996 and the issuance and sale of City and County of San Francisco 1995-1996 tax and revenue anticipation notes therefor; approving official notice of sale of such notes and authorizing the distribution thereof; approving notice of intention to sell such notes and authorizing the publication thereof; authorizing the public sale of such notes; approving trust agreement, letter of credit, agreement and official statement relating to such notes; authorizing the delegation of the appointment of certain parties in connection with the issuance of such notes; and authorizing other special actions in connection therewith. Supervisor Hsieh presented. Referred to Budget Committee.

File 255-95-001.



Requests for Hearings:

[University of California Contracts]

Hearing to consider all contracts, memorandum of understanding and leases between the University of California and the City and County and the potential conflict the University of California may have with the City's affirmative action policies in light of the U.C. Regents vote to end affirmative action policies in student admissions and contracting. Supervisors Alioto, Teng, Leal presented. Referred to Health/Public Safety/Environment Committee.

File 12-95-38.002.

[Presidio Trust Legislation]

Hearing to consider the Presidio Trust Bill, HR 1296 and S594. Supervisor Alioto presented. Referred to Health/Public Safety/Environment Committee.

File 013-95-022.

[Stop Sign, Jones and Beach Streets]

Hearing to consider installing four-way Stop signs at Jones and Beach Streets. Supervisor Hallinan presented. Referred to Housing and Land Use Committee.

File 018-95-011.

[Sunshine Ordinance Amendment]

Hearing to consider amending the Sunshine Ordinance to strengthen access to government information and decision making processes or reduce the chances of financial harm to essential public health services. Supervisor Shelley presented. Referred to Rules Committee.

File 097-95-040.

[Belden Place]

Hearing to consider proposed changes to Belden Place and the impact such changes would have on the character and economic vitality of Belden Place. Supervisor Alioto presented. Referred to Health/Public Safety/Environment Committee with request it be considered at the August 17, 1995 meeting.

File 256-95-001.

Motions:

Referred to Committee

[Outreach Newspaper Advertising]

Motion establishing guidelines for the publication of weekly advertisements in outreach newspapers. Supervisor Shelley presented. Referred to Rules Committee.

File 054-95-008.

Introduced by the President at the Request of Departments

Ordinances Referred to Committee

File 097-95-036. [Residential Rent Stabilization Fee] Ordinance amending Administrative Code Section 37A.4 to provide for collecting the Residential Rent Stabilization and Arbitration fee on property tax bills. (Residential Rent Stabilization and Arbitration Board) Referred to Housing and Land Use Committee.

File 101-95-007. [Appropriation, Department of Public Works] Ordinance appropriating \$36,480,000, Department of Works, of 1990 Earthquake Safety Bond Proceeds and interest earnings and transferring \$8,491,539 from Capital Improvement Projects at the Veterans Building and City Hall to Capital Improvement Projects for seismic upgrading of the War Memorial Opera House, for fiscal year 1995-96. RO #95006 (Controller) Referred to Budget Committee.

File 115-95-004. [Downtown Streetscape Plan] Ordinance amending Planning Code by adding Section 138.1 regulating streetscape improvements in the Downtown C-3 Districts, amending Section 137 to include modifications and improvements of sidewalks, amending Section 155 regulating the placement of off-street parking and loading to include the revised pedestrian network, and amending Section 309 to reference the requirements of Section 138.1. (Department of City Planning) Referred to Housing and Land Use Committee.



Resolutions Referred to Committee

File 025-95-023. [Prop J Contract, Paratransit Services] Resolution finding that it is economical for the Public Transportation Commission to contract for paratransit services in accordance with Charter Section 8.300-1. (Public Transportation Commission) Referred to Government Efficiency/Labor Committee.

File 038-95-006. [Gift Acceptance, SafeAmerica Foundation] Resolution authorizing the Department of Public Health, Central Administration, Emergency Medical Services Agency, to accept and expend a gift valued at \$16,000, from SafeAmerica Foundation to provide child car seats to the residents of San Francisco. (Department of Public Health) Referred to Government Efficiency/Labor Committee.

File 138-95-005. [Grant, Major Narcotic Vendors Prosecution Program] Resolution authorizing the District Attorney of the City and County of San Francisco to apply for, accept, and expend funds in the amount of \$135,501 made available through the Office of Criminal Justice Planning for a project entitled "San Francisco District Attorney's Office Major Narcotic Vendors Prosecution Program", for the twelve month period July 1, 1995 through June 30, 1996. (District Attorney) Referred to Government Efficiency/Labor Committee.

File 146-95-009. [Grant, "Red Light Running" Public Awareness] Resolution authorizing the Department of Public Health, Central Administration, to apply for retroactively, and accept and expend a grant of \$27,683, which includes indirect costs in the amount of \$2,766 based on 11.1% of total expenditures; providing for ratification of action previously taken. Referred to Government Efficiency/Labor Committee.

File 148-95-004. [Grant-Federal, City Base Map Project] Resolution authorizing the Department of Public Works to apply retroactively for \$951,606 in grant funds awarded by the United States Department of Commerce, National Telecommunications and Information Administration (NTIA), Telecommunications and Information Infrastructure Assistance Program (TAP) to develop a telecommunication network to improve access, develop an informational resource, and further the use of the City's Official Base Map; waiving indirect costs. (Department of Public Works) Referred to Government Efficiency/Labor Committee.

File 172-95-033. [Placement of Female Juveniles] Resolution authorizing the Chief Probation Officer to renew a contract for the 1995-96 contract year between the City and County of San Francisco, Juvenile Probation Department, and the County of Santa Clara, Santa Clara County Probation Ranches, to provide for the placement of female juveniles. (Juvenile Probation Department) Referred to Government Efficiency/Labor Committee.

File 172-95-034. [Diagnostic Treatment Services, Juvenile Ward] Resolution authorizing the Chief Probation Officer of the Juvenile Probation Department to renew a contract with California Youth Authority for diagnostic and treatment services and custody of a juvenile ward of the Court from the County of San Francisco not to exceed 90 days; providing for ratification of action previously taken. (Juvenile Probation Department) Referred to Government Efficiency/Labor Committee.

Requests Granted

There being no objection, the Board directed the Clerk to comply with the following requests:

By Supervisor Alioto, that letter be sent to Director, Human Rights Commission, to determine on behalf of Carpenters Union Local 2236 why Precision Construction, an African-American LBE/MBE contractor, located in the Bayview Hunters Point District, is unable to secure work in the City and County of San Francisco.

By Supervisor Alioto, that letter of inquiry be sent to the Honorable Public Transportation Commission regarding the illegal placement of campaign signs on Municipal Railway buses.

By Supervisor Hallinan, that City Attorney draft appropriate legislation which would provide conditions of fairness (medical, health coverage) for the contracting out of City services.

By Supervisor Shelley, that City Attorney prepare ordinance amending Administrative Code, relating to the Sunshine Ordinance, which would strengthen access to government information and decision making processes or reduce the chances of financial harm to essential public health services. File 97-95-40.

Motions Adopted

Motion that the Board adjourn its meeting this date out of respect to the memory of the following deceased:

Joseph van Es-Ballesteros (By the entire Board)  
Thomas Tang (Supervisor Hsieh)  
Ruby Morgan Thomas (Supervisor Leal)

File 2-95-28

Unanimously adopted by a rising vote.

Monday, July 24, 1995

ADJOURNMENT

There being no further business, the Board at the hour of 6:22 p.m. adjourned.

John L. Taylor, Clerk

N.B. This Journal of Proceedings sets forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on September 18, 1995.

I, John L. Taylor, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Journal of Proceedings of said Board on the date stated and was approved as recited.

John L. Taylor  
Clerk of the Board of Supervisors

Monday, July 31, 1995

# **Journal of Proceedings**

*The Minutes of the*

## **Board of Supervisors**

City and County of San Francisco

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Volume 90

Number 29



JOURNAL OF PROCEEDINGS

BOARD OF SUPERVISORS

Monday, July 31, 1995 - 2:00 p.m.

The Board of Supervisors of the City and County of San Francisco met in regular session on the above date with President Kevin Shelley presiding.

CALLING THE ROLL

The meeting was called to order at 2:11 p.m. On call of the roll, the following Supervisors were noted present:

Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

Quorum present.

APPROVAL OF JOURNALS

There being no errors, corrections or omissions, Supervisor Kaufman, seconded by Supervisor Teng, moved that the Journal of Proceedings for Tuesday, May 30, 1995, be approved.

Motion carried by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

COMMUNICATION

Termination of Winter Emergency Declaration

A communication has been received from the Mayor, dated July 21, 1995, indicating that the incident period established by the Federal Emergency Management Agency following the Presidential Declaration of Emergency for the 1995 Winter Storms in California ended on April 19, 1995. On advice of the legal authority, San Francisco's State of Emergency will automatically lapse after two weeks if no further action is taken by the Board of Supervisors. (A copy of the letter is contained in the Office of the Clerk of the Board of Supervisors, File 270-95-3.)

SPECIAL ORDER 2:00 P.M.

From the President

Report Received

[Police Department Aaron Williams Case]  
Report by Chief of Police Anthony Ribera in response to questions of the Board regarding the incident involving Aaron Williams and other related cases of death or serious injuries of citizens at the hands of the police. (Supervisor Kennedy)

File 207-95-010.01

Chief of Police Anthony D. Ribera appeared and responded, orally and in writing, to various questions imposed by the Board of Supervisors by its letter dated July 18, 1995. (A copy of this letter and the letter from the Chief of Police dated July 21, 1995 are contained in File 207-95-10.1 in the Office of the Clerk of the Board of Supervisors.

CONSENT CALENDAR

Recommendation of Budget Committee

Finally Passed

[Sales of and Grants of Easements]

Ordinance authorizing and approving sales of and grants of easements with respect to City-owned property (portions of Block 5269, Lots 7 and 8; and Block 5282, Lot 31) to the State of California Department of Transportation in connection with the retrofit and maintenance of the Interstate 280 Freeway. (Real Estate Department)

File 172-95-27, Ordinance No. 257-95

(Fiscal Impact.)

Finally passed.

Recommendations of Government Efficiency and Labor Committee

Passed for Second Reading

[Lease Modification, Charnel Company, Inc.]

Ordinance approving, retroactively, the modification of the Boarding Area "A" Retail Concession Lease A-1 between Charnel Company, Inc. and the City and County, acting by and through its Airports Commission. (Airports Commission)

File 27-95-11, Resolution No.

Passed for second reading.

[Settlement of Litigation, Mary Ann Castillo]

Ordinance approving the settlement of litigation of Mary Ann Castillo against the City and County by payment of \$14,750. (City Attorney)

File 45-95-24, Ordinance No.

(Superior Court No. 925-758.)

Passed for second reading.

[Settlement of Litigation, Jeffrey Derderian]

Ordinance authorizing settlement of property damage claim of Jeffrey Derderian against the City and County by payment of \$8,425. (City Attorney)

File 45-95-26, Ordinance No.

(Superior Court No. 958-930.)

Passed for second reading.

[Settlement of Litigation, Betty Jiminez, et al.]

Ordinance authorizing settlement of litigation of Betty Jiminez, Angelita Jiminez, Yvonne Hernandez and Aujha Hernandez against the City and County by payment of \$40,500. (City Attorney)

File 45-95-27, Ordinance No.

(Superior Court No. 952-173.)

Passed for second reading.

[Settlement of Litigation, Tracey Brister]

Ordinance authorizing settlement of litigation of Tracey Brister against the City and County by payment of \$20,000. (City Attorney)

File 45-95-28, Ordinance No.

(Superior Court No. 952-360.)

Passed for second reading.

[Municipal Attorney's Association v. CCSF]

Ordinance approving the settlement of litigation and implementing the provisions of an arbitration award as amended by agreement between the Municipal Attorney's Association and the City and County for the period July 1, 1995 through June 30, 1998. (Supervisor Shelley)

File 45-95-29, Ordinance No.

(Superior Court No. 970-275.)

Passed for second reading.

Adopted

[Prop J Contract, Budget Analyst Services]

Resolution concurring with the Controller's certification that services of the Budget Analyst can be practically performed by private contractor for lower cost than similar work services performed by City and County employees. (Clerk, Board of Supervisors)

File 25-95-19, Resolution No. 617-95

Adopted.

[Gift Acceptance, Rathmann Family Foundation]

Resolution authorizing acceptance by the Fire Department of a \$25,000 contribution for the Rathmann Family Foundation for the Neighborhood Emergency Response Team Training Program. (Fire Commission)

File 38-95-5, Resolution No. 621-95

Adopted.

[Settlement of Claim, Richard Depp]

Resolution approving the settlement of the unlitigated claim of Richard Depp by payment of \$6,884.86. (City Attorney)

File 48-95-17, Resolution No. 623-95

Adopted.

[Settlement of Claim, Sarah Zwerling]

Resolution approving the settlement of the unlitigated claim of Sarah Zwerling by payment of \$12,000.00. (City Attorney)

File 48-95-18, Resolution No. 624-95

Adopted.

[Settlement of Claim, Continental Savings of America]

Resolution authorizing settlement of claim of Continental Savings of America in the sum of \$510,684.18 (consisting of \$354,643.74 in tax refunds and \$156,040.44 in interest) to be paid in four equal annual installments. (City Attorney)

File 48-95-19, Resolution No. 625-95

Adopted.

[SDI Coverage, AA56 Hearing Officer]

Resolution authorizing enrollment of classification AA56 into the State Disability Insurance Program. (Department of Human Resources)

File 89-95-4, Resolution No. 628-95

Adopted.

[Grant - State, Drug Abatement Project]

Resolution authorizing the District Attorney to apply for, accept and expend funds in the amount of \$311,985, made available through the Office of Criminal Justice Planning for a project entitled "San

Francisco District Attorney's Drug Abatement Project", for the twelve month period July 1, 1995 through June 30, 1996. (District Attorney)

File 138-95-4, Resolution No. 630-95

Adopted.

[Grant - State, Drug Abatement Project]

Resolution authorizing retroactively the Sheriff to apply for, accept, and expend funds in the amount of \$60,858 which include indirect costs in the amount of \$2,968 based on five percent of the project costs less audit expenses made available through the Office of Criminal Justice Planning for a project entitled "San Francisco Drug Abatement Project." (Sheriff)

File 152-95-2, Resolution No. 635-95

Adopted.

The foregoing items on the Consent Calendar were acted upon by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Leal, Migden, Shelley, Teng - 10.

Absent: Supervisor Kennedy - 1.

REGULAR CALENDAR

UNFINISHED BUSINESS

Recommendations of Government Efficiency and Labor Committee

Adopted

[Prop J Contract, Security Services]

Resolution concurring with the Controller's certification that security services can be practically performed at the Department of Social Services by private contractor for lower cost than similar work performed by City and County employees. (Department of Social Services)

File 25-95-10, Resolution No. 614-95

(Fiscal Impact.)

(July 24, 1995 - Consideration continued to July 31, 1995.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Leal, Migden, Shelley, Teng - 10.

Absent: Supervisor Kennedy - 1.

[Prop J Contract, Security Services]

Resolution concurring with the Controller's certification that the weekend and holiday security guard services can be practically performed for the Department of Public Health, SFGH, Substance Abuse Services, by private contractor for a lower cost than similar work services performed by City and County employees. (Department of Public Health)

File 25-95-14, Resolution No. 616-95

(Fiscal Impact.)

(July 24, 1995 - Consideration continued to July 31, 1995.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Leal, Migden, Shelley, Teng - 10.

Absent: Supervisor Kennedy - 1.



[Prop J Contract, Janitorial Services]

Resolution concurring with the Controller's certification that janitorial services for 25 Van Ness Avenue can be practically performed by private contractor for lower cost than similar work services performed by City and County employees. (Real Estate Department)

File 25-95-4, Resolution No. 612-95

(Fiscal Impact.)

(July 17, 1995 - Consideration continued to July 31, 1995.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Leal, Migden, Shelley, Teng - 10.

Absent: Supervisor Kennedy - 1.

[Prop J Contract, Security Services, 25 Van Ness]

Resolution concurring with the Controller's certification that security services for 25 Van Ness Avenue can be practically performed by private contractor for lower cost than similar work services performed by City and County employees. (Real Estate Department)

File 25-95-5, Resolution No. 613-95

(July 17, 1995 - Consideration continued to July 31, 1995.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Leal, Migden, Shelley, Teng - 10.

Absent: Supervisor Kennedy - 1.

Rereferred to Committee

[Prop J Contract, Security Guard Services]

Resolution concurring with the Controller's certification that armed security guard services can be practically performed for the District Attorney, Family Support Bureau, by a private contractor for a lower cost than similar services performed by City and County employees. (District Attorney)

File 25-95-8, Resolution No.

(Fiscal Impact.)

(July 17, 1995 - Consideration continued to July 31, 1995.)

Supervisor Hallinan, seconded by Supervisor Ammiano, moved to rerefer to Committee.

Motion to rerefer to Committee adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Leal, Migden, Shelley, Teng - 11.

Absent: Supervisor Kennedy - 1.

Adopted

[Prop J Contract, Security Services, 1660 Mission]

Resolution concurring with the Controller's certification that security services for 1660 Mission Street can be practically performed by private contractor for lower cost than similar work services performed by City and County employees. (Real Estate Department)

File 25-95-13, Resolution No. 615-95

(Fiscal Impact.)

(July 17, 1995 - Consideration continued to July 31, 1995.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Leal, Migden, Shelley, Teng - 10.

Absent: Supervisor Kennedy - 1.

From the Committee of the Whole

Ordered Submitted as Amended

[Charter Amendment - Office of Citizen Complaints]

((Charter amendment (Fourth Draft) amending Sections 3.530-2 and 8.343 and adding Section 3.539-1, requiring the mayor to appoint a nominee of the police commission and the board of supervisors to approve the director of the office of citizen complaints, requiring mandatory staffing levels of the office of citizen complaints, requiring the director of the office of citizen complaints to report to the President of the Board of Supervisors quarterly, requiring that settlements disbursed by the City and County of San Francisco as a result of police misconduct be taken from the police department budget, restricting promotions of police officers who are disciplined for certain offenses, eliminating police commission review of disciplinary cases where there has been no complaint sustained by the office of citizen complaints, and establishing arbitration appeal process for certain types of discipline of police officers.)) (Supervisor Ammiano)

Charter amendment (Fifth Draft) amending Section 3.530-2 and adding Section 3.539-1, requiring the mayor to appoint a nominee of the police commission and the board of supervisors to approve the director of the office of citizens complaints, requiring mandatory staffing levels of the office of citizen complaints, requiring the director of the office of citizen complaints to report to the President of the Board of Supervisors quarterly, requiring that settlements disbursed by the City and County of San Francisco as a result of police misconduct be taken from the Police Department budget.

File 243-95-1

(July 24, 1995 - Amended; Consideration continued to July 31, 1995.)

Supervisor Ammiano, seconded by Supervisor Teng, moved an amendment of the whole entitled, "Charter amendment amending Section 3.530-2 and adding Section 3.539-1, requiring the mayor to appoint a nominee of the police commission and the board of supervisors to approve the director of the office of citizen complaints, requiring mandatory staffing levels of the office of citizens complaints, requiring the director of the office of citizen complaints to report to the President of the Board of Supervisors quarterly, requiring that settlements disbursed by the City and County of San Francisco as a result of police misconduct be taken from the Police Department budget."

Supervisor Migden, seconded by Supervisor Teng, moved to amend the amendment of the whole, on page six, lines seven through nine, so it reads as follows: "Monetary awards and settlements disbursed by the city and county as a result of police action or inaction shall be taken from the regularly appropriated budget for the police department."

Motion to amend the amendment of the whole adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 10.

Noes: Supervisor Hallinan - 1.

The roll was then called on the amendment of the whole as amended and it was adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 10.

Noes: Supervisor Hallinan - 1.

Fifth draft ordered submitted as amended by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 10.

Noes: Supervisor Hsieh - 1.

NEW BUSINESS

Recommendations of Budget Committee

Passed for Second Reading

[Appropriation, Police and Sheriff]

Ordinance appropriating \$1,218,888, Sheriff and the Police Departments from the General Fund Reserve for overtime, fringe benefits, materials and supplies, other non-personal services and services of other departments for costs associated with the UN 50 Celebration; for fiscal year 1995-96; providing for ratification of action previously taken. (Controller)

File 101-95-4, Ordinance No.

(Fiscal Impact.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

[Appropriation, Sheriff Department]

Ordinance appropriating \$25,011, Sheriff Department, from the General Fund Reserve for overtime and materials and supplies for costs associated with other public safety activities performed in late June 1995, for fiscal year 1995-96; providing for ratification of action previously taken. (Controller)

File 101-95-4.1, Ordinance No.

(Fiscal Impact.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

[Appropriation, Department of Public Works]

Ordinance appropriating and certifying \$49,101, Department of Public Works, for a capital improvement project (Candlestick Park Overhead Lane Traffic Signal Project) to cover ten (10) percent overage as per Charter Section 7.203; providing for ratification of action previously taken, for fiscal year 1995-96. (Controller)

File 101-95-5, Ordinance No.

(Fiscal Impact.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

[Appropriation, Department of Public Works]

Ordinance appropriating and certifying \$6,100, Department of Public Works, for a capital improvement project (Capital Avenue sewer repair) to cover ten (10) percent overage as per Charter Section 7.203; providing for ratification of action previously taken, for fiscal year 1995-96. (Controller)

File 101-95-6, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

Adopted

[Emergency Repair, Seawall Lot 337]

Resolution approving a declaration of emergency for contracted assistance to eliminate the fire hazard at 250 Terry Francois Boulevard, West Bay Resources in the amount of \$7,000. (Port)

File 28-95-11, Resolution No. 619-95

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

[Patient Day Rates, Fiscal Year 1995-96]

Resolution fixing patient day rates for services furnished by City and County health care institutions and authorizing retroactively the effective date of July 1, 1995 and rescinding Resolution No. 664-94. (Department of Public Health)

File 30-95-11, Resolution No. 620-95

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

[Bayshore Hester Assessment District]

Resolution declaring the City and County's intent to form, and determining the boundaries for, a Special Assessment District designated "Bayshore Hester Assessment District No. 95-1" and approving the acquisition of improvements relating thereto; accepting the petitions of landowners relating to such Assessment District; directing the preparation of a Preliminary Engineer's Report; providing for the issuance of bonds and matters related thereto; and authorizing other official actions in connection therewith. (Supervisors Shelley, Teng)

File 251-95-1, Resolution No. 589-95

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

In connection with the above item, Supervisor Teng requested to be added as co-sponsor.

Recommendations of Government Efficiency and Labor Committee

Passed for Second Reading

[Lease Modification, Port/Redevelopment Agency]

Ordinance approving Third Amendment to Option to Lease Real Property and Second Amendment to leases between the Port and the Redevelopment Agency for properties in the South Beach Redevelopment Area. (Port Commission)

File 65-95-3.1, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

Adopted

[Environmental Findings, Port/Redevelopment Agency Lease Agreement]

Resolution adopting findings in accordance with the California Environmental Quality Act in connection with that certain proposed agreement to lease real property to be entered into by the City operating by and through the Port Commission and the Redevelopment Agency. (Port Commission)

File 65-95-7, Resolution No. 627-95

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

Passed for Second Reading

[Lease Agreement, Port/Redevelopment Agency]

Ordinance approving agreement to lease between the City and County, operating by and through the Port Commission and the Redevelopment Agency for development and use of real property as a public park located at Seawall Lots 327, 348, and the Embarcadero (at Folsom Street), also known as Rincon Point Park, and at Seawall Lot 347S; companion measure to File 65-95-7. (Port Commission)

File 65-95-7.1, Ordinance No.

(The activity described in this Ordinance is within the scope of a program approved under a Final Environmental Impact Report certified November 5, 1980 and a Supplemental Environmental Impact Report certified August 15, 1991 for the Rincon Point-South Beach Redevelopment Plan (together, the "EIR") prepared pursuant to the California Environmental Quality Act ("CEQA"). The EIR adequately describes the activity for purposes of CEQA.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

[Membership Criteria for Retirement System]

Ordinance amending Administrative Code, regarding Membership Criteria for the Retirement System. (Department of Human Resources)

File 97-95-15, Ordinance No.

(Fiscal Impact.)

(June 19, 1995 - Rereferred to Committee.)

(Amends Section 16.42;and deleting Section 16.43.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

Adopted

[State Legislation; AB 5, AB 52, SB 279]

Resolution urging City, School District, and Community College officials to take steps to educate the public and their consumers about their legal rights as they relate to Proposition 187; urging the School District and Community College District to continue to seek judicial clarification of issues related to Proposition 187; declaring it to be the policy of the Board that City employees should not be disciplined by the City for failing to comply with the provisions of Proposition 187; opposing State Bills AB 5, AB 52 and SB 279; urging the Mayor and the State Legislative Lobbyist to convey this message to state and other local officials. (Supervisors Teng, Ammiano, Kaufman, Hallinan, Bierman, Shelley, Alioto, Leal, Migden)

File 12-95-43, Resolution No. 611-95

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

In connection with the above item, Supervisors Leal, Migden requested to be added as co-sponsors.

[State Grant, CalTrain-SFO Shuttle Service]

Resolution authorizing the Airports Commission to seek, retroactively, accept and expend funds for a CalTrain-SFO Shuttle from the Bay Area Air Quality Management District under AB 434 Funds, Clean Air Act Legislation, for a third year of operation; waiving indirect costs. (Supervisor Leal)

File 27-95-12, Resolution No. 618-95

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

[Renewal and Extension of 9 Leases, Various Locations]

Resolution authorizing extensions and renewal of nine (9) existing leases of real property required by the Department of Public Health, retroactive to July 1, 1995. (Real Estate Department)

File 64-95-5, Resolution No. 626-95

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

[Annual Audit, Controller's Books]

Resolution ordering annual audit of Controller's books, declaring intention of the Board of Supervisors to order an annual audit of Controller's books and to exercise the final one year renewal option of a contract with a consortium of accounting firms. (Controller)

File 95-95-1, Resolution No. 601-95

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

[Grant-State, Adult Probation Drug Abatement]

Resolution authorizing the Chief Adult Probation Officer to apply for, retroactively, accept and expend funds in the amount of \$177,677 which includes indirect costs in the amount of \$8,883 based on five percent of the total project, made available through the Office of Criminal Justice Planning for a project entitled "San Francisco Adult Probation's Drug Abatement Project." (Adult Probation Department)

File 130-95-1, Resolution No. 629-95

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

[Federal Grant, "COPS-MORE" Program]

Resolution authorizing the Chief of Police to retroactively apply for funds in the amount of Four Million Four Hundred Seventy-Five Thousand Eight Hundred Dollars (\$4,475,800), for new funding for a one-year project entitled, "Community Oriented Policing Services - Making Officer Redeployment Effective" (COPS-MORE), plus a hard match of Two Million Four Hundred Ninety-Three Thousand Five Hundred Ten Dollars (\$2,493,510). (Supervisors Shelley, Alioto, Hallinan)

File 143-95-2, Resolution No. 631-95

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

In connection with the above item, Supervisors Shelley, Alioto, Hallinan requested to be added as co-sponsors.

[Federal Grant, "COPS-AHEAD" Program]

Resolution authorizing the Chief of Police to retroactively apply for, accept and expend funds in the amount of One Million Nine Hundred Fifty Thousand Dollars (\$1,950,000), for new funding for a three-year project entitled, "Community Oriented Policing Services - Accelerated Hiring, Education, and Development Program" (COPS-AHEAD), plus a hard match of Three Million Six Hundred Twenty-Nine Thousand Six Hundred Twenty Dollars (\$3,629,620). (Supervisors Shelley, Alioto, Hallinan)

File 143-95-3, Resolution No. 632-95

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

Supervisors Shelley, Alioto, Hallinan requested to be added as co-sponsors.

[State Grant - Project Read]

Resolution authorizing the City Librarian to retroactively apply for funds available from the California State Library's Administration of Library Services and Construction Act (LSCA) Title I funds for a Southeast Literacy Program; including indirect costs of five percent. (Supervisors Leal, Alioto)

File 147-95-7, Resolution No. 642-95

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

Supervisor Alioto requested to be added as co-sponsor.

[Grant, Support Services-City Link Program]

Resolution authorizing the San Francisco Public Library to accept \$30,000 in grant funds awarded by the Corporation for Public Broadcasting/Annenberg Foundation as part of the Community Wide Education and Information Services (CWEIS) program to participate in a collaborative project integrating a variety of telecommunications programs and services to create and provide access to knowledge, education, and information resources; waiving indirect costs. (Supervisor Leal)

File 147-95-8, Resolution No. 633-95

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

[Amended State Hold Harmless Medi-Cal Agreement]

Resolution authorizing the Department of Public Health, Community Substance Abuse Services, to enter into an amended hold harmless Medi-Cal agreement retroactive to July 1, 1994 for the term July 1, 1994 through June 30, 1995 with the State of California, Department of Alcohol and Drug Programs in the amended amount of \$5,376,526 as a condition of receiving State Medi-Cal funds for substance abuse treatment, authorizing and designating the Director of Substance Abuse Services to sign said agreement. (Department of Public Health)

File 172-95-14.1, Resolution No. 636-95

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

[Hold Harmless/Net Negotiated Amount Agreement]

Resolution authorizing the Department of Public Health, Community Substance Abuse Services to enter into an amended hold harmless and net negotiated amount agreement retroactive to July 1, 1994 for the term July 1, 1994 through June 30, 1997 with the State of California, Department of Alcohol and Drug Programs as a condition of receiving \$10,784,648 in State funds for Substance Abuse Treatment; authorizing and designating Larry Meredith, Ph.D., Director of Substance Abuse Services, to sign said Agreement and to approve contract amendments for transfers of less than ten percent (10%) of the contracted amount. (Department of Public Health)

File 172-95-14.2, Resolution No. 637-95

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

[Transit Fare Agreement, MUNI's Fast Pass on BART]

Resolution approving a Special Transit Fare Agreement between the City and County and the San Francisco Bay Area Rapid Transit District, authorizing the continued acceptance and use of the MUNI Fast Pass for intra-San Francisco trips on BART. (Public Transportation Commission)

File 172-95-31, Resolution No. 638-95

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

[Hold Harmless]

Resolution authorizing the Port to hold Andrew Associates harmless for claims arising out of the management of the Roundhouse Plaza office complex located at Lombard and Sansome Streets. (Supervisor Hallinan)

File 172-95-32, Resolution No. 639-95

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

[Seismic Retrofit Contracts]

Resolution establishing policy of the Board of Supervisors concerning fair labor standards for seismic retrofit contracts. (Supervisor Ammiano)

File 176-95-11, Resolution No. 641-95

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

(Supervisor Teng dissenting in Committee.)

Adopted as Amended

[Ballot Measure, Taxicab Regulation Ordinance]

Motion ordering submission of an ordinance requiring the Board of Supervisors to set both the amount that a taxicab operator may charge a taxicab driver for the use of the taxicab and the amount that a taxicab permit holder may charge an operator for use of the taxicab permit; mandating all taxicabs belong to a citywide centralized dispatch service; providing for issuance of peak-time and wheelchair-accessible permits, requires that permit applicants hold valid drivers' permits as a condition to remain on the waiting list, imposes driving requirements to be met before a taxicab permit is issued, modifies annual driving requirements for taxicab permit holders, and demands periodic safety inspections of taxicabs. (Supervisors Bierman, Ammiano)

File 60-95-6

(Fiscal Impact.)

Supervisor Bierman, seconded by Supervisor Ammiano, moved an amendment of the whole bearing same title as above.

Amendment of the whole adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kennedy, Leal, Migden, Shelley - 9.

Noes: Supervisors Kaufman, Teng - 2.

Adopted as amended by the following vote:

Ayes: Supervisors Ammiano, Bierman, Hallinan, Kennedy, Migden, Shelley - 6.

Noes: Supervisors Alioto, Hsieh, Kaufman, Leal, Teng - 5.

Recommendation of Health, Public Safety and Environment Committee

Adopted

[Disaster Relief Funds - Recreation and Park Department]

Resolution authorizing the General Manager and other designated officials of the Recreation and Park Department to execute and file, on behalf of the City and County, an application for Federal and State Financial Assistance under the Robert T. Stafford Federal Disaster Relief and Emergency Assistance Act and the State Natural Disaster Assistance Act for funds as a result of the 1995 Late Winter Storms. (Supervisor Leal)

File 150-95-3, Resolution No. 634-95

Adopted by the following vote:



Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

From Health, Public Safety and Environment Committee  
Without Recommendation

Consideration Continued as Amended

[Amending Juvenile Curfew Ordinance]

((Ordinance amending Police Code, to change the hours of juvenile curfew, the applicable age and exceptions, and the enforcement procedure, and to create a central facility for the detention of curfew violators, establish procedures to be followed by the staff of the central facility, and create an Oversight Committee.)) (Mayor)

Ordinance amending Police Code, to change the applicable age, exceptions, enforcement procedures of the juvenile curfew and to create an Oversight Committee; providing for a sunset clause.

File 121-95-4, Ordinance No.

(Amends Section 539.)

Supervisor Hsieh, seconded by Supervisor Kaufman, moved to amend to change the age from under "18" to "17".

Motion to amend refused adoption by the following vote:

Ayes: Supervisors Hsieh, Kaufman, Kennedy, Leal, Shelley - 5.

Noes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Migden, Teng - 6.

Supervisor Leal, seconded by Supervisor Kennedy, moved to amend as follows:

Page one, line 20: Amend by changing "18" to "16";

Page two, line 13-17: No change. (Keep amendments as proposed.);

Page two, line 25 and page three, line 24: Amend by deleting "(" and ")". (Restores current language.) Remaining items renumbered;

Page four, line 1: Amend by changing "18" to "16";

Page four, line 22: No change. (Keep amendments as proposed.);

Page five, lines 5, 6 and 7: Amend by deleting beginning with "12:01 a.m." and ending with "day, (";" amend line 8 by deleting ")") (Restores hours to 12:00 midnight and 5:00 a.m.);

Page five, lines 17, 18 and 19: No change. (Keep amendments as proposed.);

Page five, line 24: No change. (Keep amendments as proposed.);

Page five, line 25 and page six, lines 1, 2 and 3: No change. (Keep amendments as proposed.);

Page six, line 4 and page seven, line 6: Amend by deleting "(" and ")") (Restores current language.);

Page seven, lines 7 through 16: Amend by deleting proposed amendment to Section 539(d);

Page seven, line 17 and line 19: Amend by deleting "(" and ")") (Restores current language);

Page seven, lines 20 through page 10, line 6: Amend by deleting proposed new Sections 539(e) through (j) concerning central facility, procedures to be followed by the staff of the central facility and the proposed Curfew Oversight Committee;

Amend by adding a new Section 539(f) as follows: "(f) Curfew Oversight Committee. A Curfew Oversight Committee shall be established and shall be composed of nine members, each appointed to a one-year term commencing not later than sixty (60) days after the effective date of this ordinance. Three members shall be appointed by the Mayor, one of which shall be a representative of a youth advocate organization. Three members shall be appointed by the Board of Supervisors - one of which shall be a representative of a youth advocate organization and one of which shall be a minor under the age of 18. One member each shall be appointed by the Human Rights Commission, the Delinquency Prevention Commission and the Presiding Judge of the Juvenile Court. The Task Force shall study curfew violations during the first nine (9) months of the implementation of this ordinance. In addition, the Task Force shall study the cause of curfew violations, alternatives to curfew violations available to San Francisco children, the need to further alter San Francisco's curfew laws, the feasibility of creating a central holding facility for curfew violators, and

police and probation officer procedures and practices for curfew violators. No later than eleven (11) months after the effective date of this ordinance, the Task Force shall deliver a written report of its findings and recommendations to the Mayor and to the Board of Supervisors. The Task Force shall cease to exist one year after the effective date of this ordinance, unless extended by the Board of Supervisors."

Amend by adding a new Section 539(g) as follows: "(g) This ordinance shall automatically expire on December 31, 1996, unless extended by the Board of Supervisors; notwithstanding Section 539 (b)(5), this ordinance shall not be enforced based on the new definition of a "minor" until the Oversight Committee is duly appointed."

Motion to amend adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 10.

Noes: Supervisor Alioto - 1.

Supervisor Leal, seconded by Supervisor Kaufman, moved to continue consideration as amended to Committee of the Whole, August 7, 1995 at 3:00 p.m.

Motion to continue adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 10.

Noes: Supervisor Alioto - 1.

SPECIAL ORDER - 3:00 P.M.

Hearing Held

[Public Hearing]

Hearing of persons interested in or objecting to proposed ordinance to decrease Payroll Expense Tax rate for businesses with total payroll expenses not exceeding \$333,333 and to increase Payroll Expense Tax rate for businesses with total payroll expenses exceeding \$6,666,667 and to decrease the Business Tax on Gross Receipts not exceeding specified amounts and to increase the Business tax on gross receipts exceeding specified amounts and to lower the qualifying maximum for the exemption to the Payroll Expense and Business Taxes, operative January 1, 1996.

File 127-95-4

(Fiscal Impact.)

(Amends Sections 903.1, 905-A and 1005.3;  
Adds Section 1004.19.)

(The first hearing as required by State law was held on June 26, 1995.)

The privilege of the floor was granted to the following persons:

In support: Phyllis Spanglet; Barry Hermanson; Norman Rolfe; Robert Laman; Alan Wicher; Paul Varacalli; Rose; Bonita Best; female supporter; J.B.; Robert Erlinger; Michael Wong; Julianna Estesfer; Greg Winter; female supporter; Jeanne Lynch; male speaker; Laura Holland; Tom; Randy Shaw; Matthew Sharp; Roma Guy; female supporter; Shirley Bierly; Sally Burkman; Mr. Williams; Reba; Michael Hoffman; Mary Kate Connor; Donna Gout; Steve Leoni; male supporter; Bob Kane; Maurice; Mary Frances Smith; Larry Epetso; Larry Down; Larry Kisenger; male supporter; Terry Hogan; David Barnum.

In opposition: John Hephner; Paul Escorezie; Male speaker; Marian McGovern; Male speaker; Ken Cleaveland; Tom Balistrari; Bob Jacobvitz; Joann Lockley; Steven Cornell; Kim Keane; Lorraine Moore; Jim Baldwin; Mark Mendez; Connie Balding; Darlene Mar; Bart Nixon; Christine Wardell; Chris; Rich Gunn; Edmond Stevenson; Mikie Rosalo; Ron; Jon David Perna; Dennis Wong; Dick Allen; Dan.

Referred to Committee

[Payroll Expense/Business Tax]

Ordinance amending Part III, Municipal Code, by amending Section 903.1 thereof to decrease Payroll Expense Tax rate for businesses with total payroll expense not exceeding \$333,333 and to increase Payroll Expense Tax rate for businesses with total payroll expenses exceeding \$6,666,667 and by adding Section 1004.19 thereto to decrease the Business Tax on Gross Receipts exceeding specified amounts and

by amending Sections 905-A and 1005.3 thereof to lower the qualifying maximum for the exemption to the Payroll Expense and Business Taxes, operative January 1, 1996. (Supervisor Ammiano)

File 127-95-4, Ordinance No.

Supervisor Ammiano, seconded by Supervisor Hsieh, moved to rerefer to Budget Committee.

Motion to rerefer to Committee adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

SPECIAL ORDER - 3:00 P.M.

Hearing Held

[Public Hearing]

Hearing of persons interested in or objecting to proposed ordinance which would increase the Transient Occupancy Tax Surcharge from 2.75 percent to 4.75 percent, and to increase the Transient Occupancy Tax in certain Redevelopment Project Areas from 12 percent to 14 percent, operative October 1, 1995.

File 127-95-5

(Fiscal Impact.)

(Amends Sections 502.5, 5092.8.)

(The first public hearing as required by State law was held on June 26, 1995.)

The privilege of the floor was granted to the following persons:

In support: Phyllis Spanglet; Barry Hermanson; Norman Rolfe; Robert Laman; Alan Wicher; Bill Lee; Bob Begley; Paul Varacalli; Rose; Bonita Best; female supporter; J.B.; Robert Erlinger; Michael Wong; Julianna Estesfer; Greg Winter; female supporter; Jeanne Lynch; male speaker; Laura Holland; Tom; Randy Shaw; Matthew Sharp; Roma Guy; female supporter; Shirley Bierly; Sally Burkman; Mr. Williams; Reba; Michael Hoffman; Mary Kate Connor; Donna Gout; Steve Leoni; male supporter; Bob Kane; Maurice; Mary Frances Smith; Larry Epetso; Larry Down; Larry Kisenger; Male supporter; Terry Hogan; David Barnum.

In opposition: John Hepner; Paul Escorezie; male speaker; Marian McGovern; Male speaker; Ken Cleaveland; Tom Balistrari; Bob Jacobvitz; Joann Lockley; Steven Cornell; Kim Keane; Lorraine Moore; Jim Baldwin; Mark Mendez; Connie Balding; Darlene Mar; Bart Nixon; Christine Wardell; Chris; Rich Gunn; Edmond Stevenson; Mikie Rosalo; Ron; Jon David Perna; Dennis Wong; Dick Allen; Dan.

Rereferred to Committee

[Transient Occupancy Tax]

Ordinance amending Part III, Municipal Code, by amending Section 502.5 thereof to increase the Transient Occupancy Tax Surcharge from 2.75 percent to 4.75 percent, and by amending Section 5092.8 thereof to increase the Transient Occupancy Tax in certain Redevelopment Project Areas from 12 percent to 14 percent, operative October 1, 1995. (Supervisor Ammiano)

File 127-95-5, Ordinance No.

(Fiscal Impact.)

(Amends Sections 502.5, 5092.8.)

Supervisor Ammiano, seconded by Supervisor Hsieh, moved to rerefer to Budget Committee.

Motion to rerefer to Committee adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

SPECIAL ORDER - 3:00 P.M.

Hearing Held

[Public Hearing]

Hearing of persons interested in or objecting to the proposed ordinance (Real Property Transfer Tax Ordinance) to increase the tax rate to \$7.50 from \$3.75 for each \$500 of consideration or value of the property conveyed for transfers in which the consideration or value of the property conveyed exceeds

\$1,000,000, and to clarify the City and County's authority to increase the tax rate under existing law; setting operative date of October 9, 1995.

File 127-95-8

(The first public hearing as required by State law was held on June 26, 1995.)

The privilege of the floor was granted to the following persons:

In support: Phyllis Spanglet; Barry Hermanson; Norman Rolfe; Robert Laman; Alan Wicher; Paul Varacalli; Rose; Bonita Best; female supporter; J.B.; Robert Erlinger; Michael Wong; Julianna Estesfer; Greg Winter; female supporter; Jeanne Lynch; male supporter; Laura Holland; Tom; Randy Shaw; Matthew Sharp; Roma Guy; female supporter; Shirley Bierly; Sally Burkman; Mr. Williams; Reba; Michael Hoffman; Mary Kate Connor; Donna Gout; Steve Leoni; male supporter; Bob Kane; Maurice; Mary Frances Smith; Larry Epetso; Larry Down; Larry Kisenger; male supporter; Terry Hogan; David Barnum.

In opposition: John Hepner; Paul Escorezie; male speaker; Marian McGovern; Male speaker; Ken Cleveland; Tom Balistrari; Bob Jacobvitz; Joann Lockley; Steven Cornell; Kim Keane; Lorraine Moore; Jim Baldwin; Mark Mendez; Connie Balding; Darlene Mar; Bart Nixon; Christine Wardell; Chris; Rich Gunn; Edmond Stevenson; Mikie Rosalo; Ron; Jon David Perna; Dennis Wong; Dick Allen; Dan.

Referred to Committee

[Real Property Transfer Tax]

Ordinance amending Part III, Municipal Code, by amending Section 1102 of Article 12C (Real Property Transfer Tax Ordinance) to increase the tax rate to \$7.50 from \$3.75 for each \$500 of consideration or value of the property conveyed for transfers in which the consideration or value of the property conveyed exceed \$1,000,000, and amending Section 1101 of Article 12C to clarify the City and County's authority to increase the tax rate under existing law; setting operative date of October 9, 1995. (Supervisor Ammiano)

File 127-95-8, Ordinance No.

(Fiscal Impact.)

(Amends Sections 1101 and 1102 of Article 12C.)

Supervisor Ammiano, seconded by Supervisor Hsieh, moved to rerefer to Budget Committee.

Motion to rerefer to Committee adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

SPECIAL ORDER 3:00 P.M.

Hearing Held

Consideration Continued

[Public Hearing]

Hearing of persons interested in or objecting to the proposed ordinance (Occupation License Tax Ordinance) thereto to impose a license tax of two percent (2%) of compensation on employees earning in excess of \$150,000 for work performed or services rendered within San Francisco; setting effective date of January 1, 1996.

File 127-95-3

(Fiscal Impact.)

(Adds Article 12-E, Sections 1231 through 1249; adds Section 1026.2.)

(A second public hearing as required by State law is scheduled for August 28, 1995.)

The privilege of the floor was granted to the following persons:

In support: Phyllis Spanglet; Barry Hermanson; Norman Rolfe; Robert Laman; Alan Wicher; Paul Varacalli; Rose; Bonita Best; female supporter; J.B.; Robert Erlinger; Michael Wong; Julianna Estesfer; Greg Winter; female supporter; Jeanne Lynch; male speaker; Laura Holland; Tom; Randy Shaw; Matthew Sharp; Roma Guy; female supporter; Shirley Bierly; Sally Burkman; Mr. Williams; Reba; Michael Hoffman; Mary Kate Connor; Donna Gout; Steve Leoni; male supporter; Bob Kane; Maurice; Mary Frances Smith; Larry Epetso; Larry Down; Larry Kisenger; male supporter; Terry Hogan; David Barnum.

In opposition: John Hepner; Paul Escorezie; male speaker; Marian McGovern; male speaker; Ken Cleaveland; Tom Balistrari; Bob Jacobovitz; Joann Lockley; Steven Cornell; Kim Keane; Lorraine Moore; Jim Baldwin; Mark Mendez; Connie Balding; Darlene Mar; Bart Nixon; Christine Wardell; Chris; Rich Gunn; Edmond Stevenson; Mikie Rosalo; Ron; Jon David Perna; Dennis Wong; Dick Allen; Dan.

Pursuant to State law, consideration continued to second public hearing on August 28, 1995.

SPECIAL ORDER - 3:00 P.M.

Consideration Continued

[Public Hearing]

Hearing of persons interested in or objecting to delinquent charges for inspection and reinspection fees submitted by the Fire Department, as modified to the date of adoption of this resolution, and creating special assessments and liens based thereon.

File 41-95-2

The Clerk announced that the Fire Department submitted a letter dated July 26, 1995 requesting this item be continued until September 5, 1995 (copy of which is contained in the office of the Clerk of the Board of Supervisors).

Supervisor Ammiano, seconded by Supervisor Hsieh, moved to continue consideration to September 5, 1995.

Motion to continue adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

From Fire Department

Consideration Continued

[Delinquent Charges, Inspection/Reinspection Fees]

Resolution confirming report of delinquent charges for inspection and reinspection fees submitted by the Fire Department, as modified to the date of adoption of this resolution, and creating special assessments and liens based thereon. (Fire Department)

File 41-95-2, Resolution No.

Supervisor Ammiano, seconded by Supervisor Hsieh, moved to continue consideration to September 5, 1995.

Motion to continue adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

SPECIAL ORDER - 3:00 P.M.

Hearing Held

[Public Hearing]

Hearing of persons interested in or objecting to assessment costs submitted by the Director of Public Works for sidewalk and curb repairs ordered to be performed by said Director pursuant to Sections 707 and 707.1 of the Public Works Code, the costs thereof having been paid for out of a revolving fund. (Department of Public Works)

File 41-95-3

(Total cost \$65,771.58.)

The privilege of the floor was granted to the following persons:

Ron Daley;  
Mary Anne Camacho.

There being no one else present wishing to speak, the President declared the public hearing closed.

From the Department of Public Works

Question Divided; Adopted As Divided

[Assessment Costs, Sidewalk/Curb Repairs]

Resolution confirming report of assessment costs as amended July 31, 1995 submitted by the Director of Public Works for sidewalk and curb repairs ordered to be performed by the Director pursuant to Sections 707 and 707.1 of the Public Works Code, the costs having been paid for out of a revolving fund. (Department of Public Works)

File 41-95-3, Resolution No. 622-95

A representative from the Department of Public Works gave a brief update and submitted an amended report dated July 31, 1995.

At the request of Supervisor Leal, the question was divided relative to property at 1326-28 25th Avenue and 668 Anderson Street, so the matter could be considered separately.

The roll call was then called on the main resolution and it was adopted as divided, by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Leal, Migden, Shelley, Teng - 10.

Absent: Supervisor Kennedy - 1.

Consideration Continued as Divided

[Assessment Costs, Sidewalk/Curb Repairs]

Resolution confirming report of assessment costs as amended July 31, 1995, submitted by the Director of Public Works for sidewalk and curb repairs ordered to be performed by said Director pursuant to Sections 707 and 707.1 of the Public Works Code, the costs thereof having been paid for out of a revolving fund. (Department of Public Works).

File 41-95-3.1 Resolution No.

(1326-28 25th Avenue; 668 Anderson Street)

Supervisor Leal, seconded by Supervisor Kaufman, moved to continue consideration to August 7, 1995.

Motion to continue adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Leal, Migden, Shelley, Teng - 10.

Absent: Supervisor Kennedy - 1.

SPECIAL ORDER -3:00 P.M.

Hearing Held

[Public Hearing]

Hearing of persons interested in or objecting to the vacation of a portion of Third Street within the Mission Bay project Area; adopting findings that the vacation is consistent with the City's Master Plan and Eight Priority policies of City Planning Code Sections 101.1; and finding that the vacation is part of the Mission Bay project for purposes of compliance with the California Environmental Quality Act and readopting the Mission Bay findings.

File 164-95-2.1

The privilege of the floor was granted to the following person:

Edith McMillan.

From Housing and Land Use Committee  
Without Recommendation

Passed for Second Reading

[Street Vacation - Mission Bay]

Ordinance ordering the vacation of a portion of Third Street within the Mission Bay Project area;

adopting findings that the vacation is consistent with the City's Master Plan and Eight Priority Policies of City Planning Code Section 101.1; and finding that the vacation is part of the Mission Bay project for purposes of compliance with the California Environmental Quality Act and readopting the Mission Bay findings. (Real Estate Department)

File 164-95-2.1, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Leal, Migden, Shelley, Teng - 10.

Absent: Supervisor Kennedy - 1.

#### PUBLIC COMMENT

The privilege of the floor was granted to the following persons:

Wayne Sherman, wheelchair access, meeting schedules;  
Edith McMillan, feasibility of establishing cooling centers;  
Malik Rahim, Tenants Association, San Francisco Housing Authority;  
Richard Hack, Building Inspection Commissioner Sanbonmatsu.

There being no one else present wishing to speak, the President declared the public comment portion of the meeting closed.

#### Appointment of President Pro Tempore

At the request of the President, Supervisor Kennedy assumed the Chair.

#### Called from Government Efficiency and Labor Committee by Supervisor Kennedy

Rereferred to Committee

[Unauthorized Use of Official Commission Status]

Resolution urging the Mayor to inquire into the actions and activities of the Department of Building Inspection Commissioner Jamie Sanbonmatsu including but not limited to his possible violations of the Ralph M. Brown Act (California Government Code), and the unauthorized use of official Commission status to attempt to silence legitimate criticism of the Commission; urging the Mayor to take appropriate actions following the completion of his inquiry. (Supervisor Kennedy)

File 228-95-4, Resolution No.

Supervisor Hallinan, seconded by Supervisor Bierman, moved to rerefer to Committee.

Motion to rerefer to Committee adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Hallinan, Hsieh, Kennedy, Teng - 6.

Absent: Supervisors Alioto, Kaufman, Leal, Migden, Shelley - 5.

#### FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures were introduced at a prior meeting of the Board with action requested at this meeting. Any Supervisor may require these measures to go to committee unless a motion to suspend the rules is adopted by eight votes (or a unanimous vote if only six or seven members are present). An "aye" vote is (a) a vote in favor of suspending the rule requiring reference to committee, and (b) a vote in favor of adoption of the measures. Eight votes (or a unanimous vote if only six or seven members are present) is required.

Adopted

[Commend, Come Into the Sun]

Resolution commending the Come Into The Sun/YWCA Girls Mentorship Program, located at the Western Addition YWCA, for its work on behalf of young women who are at risk or caught up in the juvenile justice system. (Supervisors Hallinan, Alioto, Shelley, Bierman)

File 6-95-68, Resolution No. 606-95

(July 24, 1995 - Introduced in Board for consideration on July 31, 1995.)



Adopted.

In connection with the above item, Supervisors Shelley, Bierman requested to be added as co-sponsors.

[Commend, Sing Tao Daily]

Resolution commemorating the 20th Anniversary of the Sing Tao Daily in San Francisco. (Supervisors Hsieh, Teng, Leal, Shelley, Kaufman, Alioto)

File 6-95-69, Resolution No. 607-95

(July 24, 1995 - Introduced in Board for consideration on July 31, 1995.)

Adopted.

[Commend, Paul Rudnick, Jeffrey Premiere]

Resolution commending Paul Rudnick, the coordinators of the premiere of "Jeffrey", the AIDS benefit counselors, the AIDS emergency fund and proclaiming July 31, 1995 as "Jeffrey Day" in San Francisco. (Supervisors Leal, Migden, Ammiano, Alioto, Shelley, Bierman)

File 6-95-70, Resolution No. 608-95

(July 24, 1995 - Introduced in Board for consideration on July 31, 1995.)

Adopted.

In connection with the above item, Supervisors Shelley, Bierman requested to be added as co-sponsors.

[Final Map, 257-267 Central Avenue]

Motion approving final map of 257-267 Central Avenue, a Condominium Project, being a resubdivision of Lot 35 in Assessor's Block 1222, and adopting findings pursuant to City Planning Code Section 101.1. (Department of Public Works)

File 58-95-16

(July 24, 1995 - Introduced in Board for consideration on July 31, 1995.)

Adopted.

[Central Freeway Task Force]

Resolution amending Resolution No. 1019-94, as amended, which amended the Citizens' Advisory Task Force for the Central Freeway, by changing the five vacant positions from the original task force to be replaced with at-large seats. (Supervisors Hallinan, Bierman)

File 174-95-2.1, Resolution No. 640-95

(July 24, 1995 - Introduced in Board for consideration on July 31, 1995.)

Adopted.

In connection with the above item, Supervisor Bierman requested to be added as co-sponsor.

The foregoing items on the For Adoption Without Committee Reference Calendar were adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Hallinan, Hsieh, Kennedy, Migden, Teng - 6.

Absent: Supervisors Alioto, Kaufman, Leal, Migden, Shelley - 5.

#### IMMEDIATE ADOPTION CALENDAR

These measures are being introduced at this meeting. A unanimous vote is required for adoption today. Any Supervisor may require any of these measures to go to committee.



Adopted

[Leaves of Absence]

Resolution granting leaves of absence to various city and county officers with permission to leave the state. (Clerk of the Board)

File 1-95-29, Resolution No. 592-95

(Tom Ammiano, member, Board of Supervisors, August 4 - 6; Sue Bierman, member, Board of Supervisors, August 23 - September 3; Susan Leal, member, Board of Supervisors, August 11 - 20, 1995.)

Adopted.

The foregoing item on the Immediate Adoption Calendar was adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Hallinan, Hsieh, Kennedy, Migden, Teng - 6.

Absent: Supervisors Alioto, Kaufman, Leal, Migden, Shelley - 5.

IMPERATIVE CALENDAR

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the following two motions.

Adopted

[Purely Commendatory Finding]

Motion that the Board finds by roll call vote that the resolutions being considered at this time are purely commendatory.

Supervisor Ammiano, seconded by Supervisor Hallinan, moved adoption.

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Hallinan, Hsieh, Kennedy, Teng - 6.

Absent: Supervisors Alioto, Kaufman, Leal, Migden, Shelley - 5.

[Brown Act Finding]

Motion that the Board finds by roll call vote that for the resolutions being considered at this time there is a need to take immediate action and the need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

Supervisor Ammiano, seconded by Supervisor Hallinan, moved adoption.

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Hallinan, Hsieh, Kennedy, Teng - 6.

Absent: Supervisors Alioto, Kaufman, Leal, Migden, Shelley - 5.

[Imperative Resolutions, if any]

Adopted

[Commend Larry Bush]

Resolution calling attention to the observance of the 50th Birthday of the San Francisco's esteemed political journalist and commentator Larry Bush and declaring July 31, 1995 to be "Larry Bush Day" in San Francisco.

File 006-95-071, Resolution No. 595-95

Supervisors Ammiano, Shelley presented for immediate adoption.

Resolution adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Hallinan, Hsieh, Kennedy, Teng - 6.

Absent: Supervisors Alioto, Kaufman, Leal, Migden, Shelley - 5.

OFF-CALENDAR LEGISLATION

ROLL CALL FOR INTRODUCTION OF MEASURES AND COMMUNICATIONS  
NOT CONSIDERED OR REPORTED ON BY COMMITTEE

Referred to Committee

[Telecommunications Commission]

Substitute ordinance amending the Administrative Code by adding Sections 11.45 and 11.46 to create a Telecommunications Commission and to transfer certain functions regarding cable television franchises from the Chief Administrative Officer to the Telecommunications Commission and to limit the duration of new cable television franchises to ten years. Supervisor Bierman presented. Referred to Rules Committee with request it be considered at the August 15, 1995 meeting.

File 097-95-034.

[Appropriation, Recreation and Park]

Ordinance appropriating \$1,211,014, Recreation and Park Department for salaries, mandatory fringe benefits, materials and supplies, equipment from General Fund Reserve, for creation of seventy eight (78) positions. Supervisor Hsieh presented. Referred to Budget Committee with request it be considered at the August 2, 1995 meeting.

File 101-95-012.

[Appropriation, Recreation and Park]

Ordinance appropriating \$502,223, Recreation and Park Department, for salaries-miscellaneous, mandatory fringe benefits, materials and supplies, equipment purchase/lease, services of other department and creation of eight (8) positions, from General Fund Reserve. Supervisor Hsieh presented. Referred to Budget Committee with request it be considered at the August 2, 1995 meeting.

File 101-95-013.

[Appropriation, Tax Collector]

Ordinance appropriating \$372,000, Tax Collector, for services of other departments-City Attorney, for the costs of the revisions in the San Francisco Tax Code, and creation of four positions in the City Attorney's office, from General Fund Reserve. Supervisor Hsieh presented. Referred to Budget Committee with request it be considered at the August 2, 1995 meeting.

File 101-95-014.

[Appropriation, Public Works]

Ordinance appropriating \$4,145,000, Department of Public Works, for the demolition of the Richmond Sunset Treatment Plant, from Trust Fund and various sewer revenue bond funds; providing for ratification of action previously taken. Supervisor Hsieh presented. Referred to Budget Committee with request it be considered at the August 2, 1995 meeting.

File 101-95-015.

[Salary Ordinance Amendment, City Attorney]

Ordinance amending Annual Salary Ordinance, 1995-96, City Attorney's Office, reflecting the addition of four (4) positions; companion measure to File 101-95-14. Supervisor Hsieh presented on behalf of Department of Human Resources. Referred to Budget Committee with request it be considered at the August 2, 1995 meeting.

File 102-95-003.

[Salary Ordinance Amendment, Recreation and Park]

Ordinance amending Annual Salary Ordinance, 1995-96, Recreation and Park Department, reflecting the addition of eight (8) positions; companion measure to File 101-95-13. Supervisor Hsieh presented on behalf of Department of Human Resources. Referred to Budget Committee.

File 102-95-004.

[Salary Ordinance Amendment, Recreation and Park]

Ordinance amending Annual Salary Ordinance, 1995-96, Recreation and Park Department, reflecting the addition of seventy eight (78) positions; companion measure to File 101-95-12. Supervisor Hsieh

presented on behalf of Department of Human Resources. Referred to Budget Committee with request it be considered at the August 2, 1995 meeting.

File 102-95-005.

[Regulation of Ammunition Sales]

Ordinance amending Police Code by adding Section 618 and amending Section 614 to require certain dealers in firearms to record certain information in conjunction with the sales of certain ammunition. Supervisor Migden presented. Referred to Health/Public Safety/Environment Committee.

File 121-95-009.

[Stadium Operator Admission Tax]

Ordinance amending Part III, Municipal Code, by amending Section 802A of Article II thereof to extend the duration of the temporary admission tax through the season of the year 2000 for professional football and baseball games and through June 30, 2000 for other events. Supervisor Hallinan presented. Referred to Budget Committee.

File 127-95-011.

Referred to Board

[Hiroshima and Nagasaki Remembrance Days]

Resolution proclaiming August 6 and 9, 1995, as Hiroshima and Nagasaki Remembrance Days, respectively. Supervisor Teng presented. Referred to Board for Adoption Without Committee Reference Calendar August 7, 1995.

File 004-95-017.

[Commend S.F. Giants' "Until There's a Cure Day"]

Resolution commending the San Francisco Giants for hosting the second "Until There's a Cure Day" at Candlestick Park. Supervisor Alioto presented. Referred to Board for Adoption Without Committee Reference Calendar August 7, 1995.

File 006-95-072.

[Commend Christopher Durang's "Beyond Therapy"]

Resolution commending Christopher Durang's comedy "Beyond Therapy" on the occasion of its Fourth Anniversary, making it San Francisco's longest running non-musical comedy. Supervisor Migden presented. Referred to Board for Adoption Without Committee Reference Calendar August 7, 1995.

File 006-95-073.

[Protecting CVPIA]

Resolution urging Bay Area Congressional Representatives to oppose H.R. 1906 and any proposed amendments to the Central Valley Project Improvement Act (CVPIA) as ill-advised at this critical state in the implementation of the CVPIA and the Bay-Delta Agreement. Supervisor Hallinan presented. Referred to Board for Adoption Without Committee Reference Calendar August 7, 1995.

File 013-95-023.

Referred to Committee

[Sunshine Ordinance Notices]

Resolution requiring that each printed City and County agenda include a printed notice of the public's rights under the Sunshine Ordinance as described in Chapter 67 of the Administrative Code. Supervisor Ammiano presented. Referred to Rules Committee.

File 097-95-040.01.

Referred to Board

[Police Accountability]

Resolution appointing comprehensive Community Policing and Public Strategy Task Force and urging improvements in accountability of police officers to community. Supervisors Kennedy, Ammiano, Bierman presented. Referred to Board for Adoption Without Committee Reference Calendar August 7, 1995.

File 174-95-006.

Requests for Hearings:

[Municipal Railway Staffing, Funding, Wages]

Hearing to consider the Municipal Railway's staffing, funding levels, wages and benefits over the last five years reports from the Director of Human Resources, Controller, Municipal Railway management, Budget Analyst and Transport Workers Union leadership. Supervisor Bierman presented. Referred to Budget Committee with request it be considered at the September 13, 1995 meeting.

File 007-95-006.

[Transit Workers Salaries and Benefits]

Hearing to consider Civil Service Commission staff report dated July 26, 1995, concerning Salary and Survey and Certification of Wage Schedules for Transit Operators pursuant to Charter Section 8.404 for fiscal year 1995-96. Supervisor Hallinan presented. Referred to Government Efficiency/Labor Committee with request it be considered at the August 8, 1995 meeting.

File 104-95-001.

[Task Force to Implement the SEEDS Report]

Hearing to consider creating a community-based task force to implement the Striving for Excellence in Early Care and Development Services (SEEDS) report recommendations, composed of members of the SEEDS community advisory group, members of Mayor's Advisory Council on Childcare and parent representation from the District Policy Advisory Council. Supervisor Alioto presented. Referred to Health/Public Safety/Environment Committee.

File 174-95-007.

[Youth Recreational Facilities]

Hearing to consider the status of recreational facilities for youth in the City and County and the feasibility of expanding the number of recreational centers and the hours of operations. Supervisor Alioto presented. Referred to Health/Public Safety/Environment Committee.

File 193-95-003.

Motions:

Referred to Board

[Needle Exchange Emergency]

Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the Needle Exchange Program. Supervisors Alioto, Leal, Bierman, Shelley, Migden, Teng presented. Referred to Board for Adoption Without Committee Reference Calendar August 7, 1995.

File 30-95-001.16.

Referred to Committee

[Marketing San Francisco]

Motion requiring that the Budget Analyst prepare and submit to the Board a report concerning costs and City business affected by participation in the "Marketing San Francisco" project. Supervisor Ammiano presented. Referred to Rules Committee.

File 165-95-007.

Introduced by the President at the Request of Departments

Ordinances Referred to Committee

File 093-95-035.01. [Amendment to MOU, Local 21] Ordinance implementing the provisions of an amendment to the Memorandum of Understanding between the International Federation of Professional and Technical Engineers, AFL-CIO, Local 21 and the City and County of San Francisco. (Department of Human Resources) Referred to Government Efficiency/Labor Committee.

File 106-95-009. [Compensation, Municipal Court, FY 1995-96] Ordinance setting schedules of compensation and other economic benefits for certain classifications of persons employed by the Municipal Court for the City and County of San Francisco for fiscal year 1995-96. (Municipal Court) Referred to Government Efficiency/Labor Committee.

File 106-95-010. [Compensation, Municipal Court, FY 1995-96] Ordinance setting schedules of compensation and other economic benefits for fiscal year 1995-96 for certain classifications of persons employed by the Municipal Court for the City and County of San Francisco. (Municipal Court) Referred to Government Efficiency/Labor Committee.

File 115-95-004. [Downtown Streetscape Plan] Substitute ordinance amending Planning Code by adding Section 138.1 regulating streetscape improvements in the Downtown C-3 Districts, amending Section 137 to include modifications and improvements of sidewalks, amending Section 155 regulating the placement of off-street parking and loading to include the revised pedestrian network, amending Section 309 to reference the requirements of Section 138.1 and adopting findings pursuant to City Planning Code Section 101.1. (Department of City Planning) Referred to Housing and Land Use Committee.

#### Resolutions Referred to Committee

File 014-95-001. [Delinquent Hazardous Materials Liens] Resolution confirming report of delinquent hazardous materials fee costs submitted by the Director of Public Health, as modified to the date of adoption of this resolution, and creating special assessment and liens based thereon. (Department of Public Health) Scheduled for public hearing before Board on August 28, 1995, at 3:00 p.m.

File 025-95-024. [Prop J Contract, Victim Witness Services] Resolution concurring with the Controller's certification that assistance to certain victims of crime and education in community anti-street violence can be practically performed for the District Attorney's Victim Witness Assistance Program by a private contractor for a lower cost than similar work services performed by City and County employees. (District Attorney) Referred to Government Efficiency/Labor Committee.

File 025-95-025. [Prop J Contract, Security Services] Resolution concurring with the Controller's certification that security services for the Port of San Francisco can be practically performed by a private contractor at lower cost than by City and County employees. (Port Commission) Referred to Government Efficiency/Labor Committee.

File 027-95-013. [Federal Grant, Airport Improvement Program] Resolution authorizing Airports Commission to file application, and accept and expend grant of \$23,900,000 from Federal Aviation Administration for assistance in improvements at the Airport (A.I.P. No. 11). (Airports Commission) Referred to Government Efficiency/Labor Committee.

File 033-95-008. [Appointment, San Francisco Port Commission] Resolution confirming Mayor's appointment of Anne-Christine Massullo to the San Francisco Port Commission. (Mayor) Referred to Rules Committee.

File 038-95-007. [Gift Acceptance, Recreation and Park Department] Resolution accepting four (4) gifts valued at \$86,213.98, for use by the Recreation and Park Department. (Recreation and Park Department) Referred to Government Efficiency/Labor Committee.

File 082-95-002. [Noise Easement, South S.F. School District] Resolution authorizing the final payment for noise easement to the South San Francisco Unified School District - \$551,419.30. (Real Estate Department) Referred to Government Efficiency/Labor Committee.

File 082-95-003. [Noise Easement, Millbrae School District] Resolution authorizing the final payment for a noise easement to the Millbrae School District - \$138,199.35. (Real Estate Department) Referred to Government Efficiency/Labor Committee.

File 089-95-005. [SDI Coverage, 2118 Director, Medical Records] Resolution authorizing enrollment of classification(s) 2118 Director, Medical Records in the State Disability Insurance Program. (Department of Human Resources) Referred to Government Efficiency/Labor Committee.

File 172-95-035. [MOU, SFDSS and State Department of Social Services] Resolution authorizing the San Francisco Department of Social Services (SFDSS) to retroactively enter into a Memorandum of Understanding with the California State Department of Social Services (SDSS) Statewide Automated Welfare System (SAWS) Branch for the loaning of an employee to serve in the capacity of Associate Information Systems Analyst for a two-year period, beginning March 1, 1995 through February 28, 1997. (Department of Social Services) Referred to Government Efficiency/Labor Committee.

File 242-95-003. [Federal Grant, Gender Equity Education Program] Resolution authorizing the Commission on the Status of Women to apply for funds available from the United States Department of Education Women's Educational Equity Act (WEEA) Program for a gender equity education program implementation grant. (Commission on the Status of Women) Referred to Government Efficiency/Labor Committee.

Motions Adopted

Motion that the Board adjourn its meeting this date out of respect to the memory of the following deceased:

Duane Garrett (By the entire Board)  
Betty Sanders Berman (Supervisor Shelley)  
David Charles Detrick (Supervisors Migden, Leal, Kaufman)  
Ralph Jones (Supervisor Migden)  
Louise Blum Karr (Supervisor Bierman)  
Bob Graham (Supervisor Bierman)  
Henry Bianchi (Supervisor Leal)

File 2-95-29

Unanimously adopted by a rising vote.

ADJOURNMENT

There being no further business, the Board at the hour of 8:01 p.m. adjourned.

John L. Taylor, Clerk

N.B. This Journal of Proceedings sets forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on September 26, 1995.

I, John L. Taylor, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Journal of Proceedings of said Board on the date stated and was approved as recited.

John L. Taylor  
Clerk of the Board of Supervisors

Monday, August 7, 1995

# Journal of Proceedings

*The Minutes of the*

## Board of Supervisors

City and County of San Francisco

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JOURNAL OF PROCEEDINGS

BOARD OF SUPERVISORS

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Monday, August 7, 1995 - 2:00 p.m.

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The Board of Supervisors of the City and County of San Francisco met in regular session on the above date with President Kevin Shelley presiding.

CALLING THE ROLL

The meeting was called to order at 2:14 p.m. On call of the roll, the following Supervisors were noted present:

Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

CONSENT CALENDAR

Recommendations of Budget Committee

Finally Passed

[Appropriation, Police and Sheriff]

Ordinance appropriating \$1,218,888, Sheriff and the Police Departments from the General Fund Reserve for overtime, fringe benefits, materials and supplies, other non-personal services and services of other departments for costs associated with the UN 50 Celebration; for fiscal year 1995-96; providing for ratification of action previously taken. (Controller)

File 101-95-4, Ordinance No. 267-95

(Fiscal Impact.)

Finally passed.

[Appropriation, Sheriff Department]

Ordinance appropriating \$25,011, Sheriff Department, from the General Fund Reserve for overtime and materials and supplies for costs associated with other public safety activities performed in late June 1995, for fiscal year 1995-96; providing for ratification of action previously taken. (Controller)

File 101-95-4.1, Ordinance No. 268-95

(Fiscal Impact.)

Finally passed.

[Appropriation, Department of Public Works]

Ordinance appropriating and certifying \$49,101, Department of Public Works, for a capital improvement project (Candlestick Park Overhead Lane Traffic Signal Project) to cover ten (10) percent overage as per Charter Section 7.203; providing for ratification of action previously taken, for fiscal year 1995-96. (Controller)

File 101-95-5, Ordinance No. 270-95

(Fiscal Impact.)

Finally passed.

[Appropriation, Department of Public Works]

Ordinance appropriating and certifying \$6,100, Department of Public Works, for a capital improvement project (Capital Avenue sewer repair) to cover ten (10) percent overage as per Charter Section 7.203; providing for ratification of action previously taken, for fiscal year 1995-96. (Controller)

File 101-95-6, Ordinance No. 269-95

Finally passed.

Recommendations of Government Efficiency and Labor Committee

Finally Passed

[Lease Modification, Charnel Company, Inc.]

Ordinance approving, retroactively, the modification of the Boarding Area "A" Retail Concession Lease A-1 between Charnel Company, Inc. and the City and County, acting by and through its Airports Commission. (Airports Commission)

File 27-95-11, Ordinance No. 258-95

Finally passed.

[Settlement of Litigation, Mary Ann Castillo]

Ordinance approving the settlement of litigation of Mary Ann Castillo against the City and County by payment of \$14,750. (City Attorney)

File 45-95-24, Ordinance No. 259-95

(Superior Court No. 925-758.)

Finally passed.

[Settlement of Litigation, Jeffrey Derderian]

Ordinance authorizing settlement of property damage claim of Jeffrey Derderian against the City and County by payment of \$8,425. (City Attorney)

File 45-95-26, Ordinance No. 260

(Superior Court No. 958-930.)

Finally passed.

[Settlement of Litigation, Betty Jiminez, et al.]

Ordinance authorizing settlement of litigation of Betty Jiminez, Angelita Jiminez, Yvonne Hernandez and Aujha Hernandez against the City and County by payment of \$40,500. (City Attorney)

File 45-95-27, Ordinance No. 261-95

(Superior Court No. 952-173.)

Finally passed.

[Settlement of Litigation, Tracey Brister]

Ordinance authorizing settlement of litigation of Tracey Brister against the City and County by payment of \$20,000. (City Attorney)

File 45-95-28, Ordinance No. 262-95

(Superior Court No. 952-360.)

Finally passed.

[Municipal Attorney's Association v. CCSF]

Ordinance approving the settlement of litigation and implementing the provisions of an arbitration award as amended by agreement between the Municipal Attorney's Association and the City and County for the period July 1, 1995 through June 30, 1998. (Supervisor Shelley)

File 45-95-29, Ordinance No. 263-95

(Superior Court No. 970-275.)

Finally passed.

[Lease Modification, Port/Redevelopment Agency]

Ordinance approving Third Amendment to option to lease real property and Second Amendment to leases between the Port and the Redevelopment Agency for properties in the South Beach Redevelopment Area. (Port Commission)

File 65-95-3.1, Ordinance No. 264-95

Finally passed.

[Lease Agreement, Port/Redevelopment Agency]

Ordinance approving agreement to lease between the City and County, operating by and through the Port Commission and the Redevelopment Agency for development and use of real property as a public park located at Seawall Lots 327, 348, and the Embarcadero (at Folsom Street), also known as Rincon Point Park, and at Seawall Lot 347S. (Port Commission)

File 65-95-7.1, Ordinance No. 265-95

(The activity described in this Ordinance is within the scope of a program approved under a Final Environmental Impact Report certified November 5, 1980 and a Supplemental Environmental Impact Report certified August 15, 1991 for the Rincon Point-South Beach Redevelopment Plan (together, the "EIR") prepared pursuant to the California Environmental Quality Act ("CEQA"). The EIR adequately describes the activity for purposes of CEQA.)

Finally passed.

[Membership Criteria for Retirement System]

Ordinance amending Administrative Code, regarding membership criteria for the Retirement System. (Department of Human Resources)

File 97-95-15, Ordinance No. 266-95

(Fiscal Impact.)

(June 19, 1995 - Rereferred to Committee.)

(Amends Section 16.42;and deletes Section 16.43.)

Finally passed.

The foregoing items on the Consent Calendar were acted upon by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

#### REGULAR CALENDAR

#### UNFINISHED BUSINESS

#### From Housing and Land Use Committee Without Recommendation

Finally Passed

[Street Vacation - Mission Bay]

Ordinance ordering the vacation of a portion of Third Street within the Mission Bay Project area; adopting findings that the vacation is consistent with the City's Master Plan and Eight Priority Policies of City Planning Code Section 101.1; and finding that the vacation is part of the Mission Bay project for purposes of compliance with the California Environmental Quality Act and readopting the Mission Bay findings. (Real Estate Department)

File 164-95-2.1, Ordinance No. 271-95

Finally passed by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

From the Department of Public Works

Tabled

[Assessment Costs, Sidewalk/Curb Repairs]

Resolution confirming report of assessment costs submitted by the Director of Public Works for sidewalk and curb repairs ordered to be performed by said Director pursuant to Sections 707 and 707.1 of the Public Works Code, the costs thereof having been paid for out of a revolving fund. (Department of Public Works)

File 41-95-3.1, Resolution No.

(1326-28 25th Avenue and 668 Anderson Street.)

(July 31, 1995 - Consideration continued to August 7, 1995.)

Supervisor Kennedy, seconded by Supervisor Ammiano, moved to table.

Tabled by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

NEW BUSINESS

Recommendations of Budget Committee

Passed for Second Reading

[Appropriation, Department of Public Works]

Ordinance appropriating \$36,480,000, Department of Public Works, of 1990 Earthquake Safety Bond Proceeds and interest earnings and transferring \$8,491,539 from Capital Improvement Projects at the Veterans Building and City Hall to Capital Improvement Projects for seismic upgrading of the War Memorial Opera House, for fiscal year 1995-96; placing a reserve on \$34,831,269. (Controller)

File 101-95-7, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

[Appropriation, Hetch Hetchy]

Ordinance appropriating \$597,015, Hetch Hetchy, of Hetch Hetchy Operating Funds to Capital Improvement Project to allow Hetch Hetchy to repair the Priest Reservoir Diversion Channel for fiscal year 1995-96; providing for ratification of action previously taken. (Public Utilities Commission)

File 101-95-9, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

[Appropriation, Department of Social Services]

Ordinance appropriating \$55,431, Department of Social Services, of Federal Revenue to contractual services for the Independent Living Skills Program for fiscal year 1995-96. (Department of Social Services)

File 101-95-10, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

[Appropriation, Mayor's Office]

Ordinance appropriating \$33,522, Mayor's Office of Community Development, of Dispute Resolution Program Funds, to continue contracts for dispute resolution services in 1995-96; providing for ratification of action previously taken. (Mayor's Office of Community Development)

File 101-95-11, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

[Appropriation, Recreation and Park Department]

Ordinance appropriating \$1,211,014, Recreation and Park Department, from the General Fund Reserve for salaries, mandatory fringe benefits, materials and supplies, equipment and the creation of seventy-eight (78) positions for fiscal year 1995-96. (Supervisors Hsieh, Kaufman, Bierman)

File 101-95-12, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

[Salary Ordinance Amendment, Recreation and Park Department]

Ordinance amending Annual Salary Ordinance, 1995-96, Recreation and Park Department, reflecting the addition of seventy-eight positions; companion measure to File 101-95-12. (Supervisors Hsieh, Kaufman, Bierman)

File 102-95-5, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

[Appropriation, Recreation and Park Department]

Ordinance appropriating \$502,223, Recreation and Park Department, from the General Fund Reserve for salaries - miscellaneous, mandatory fringe benefits, materials and supplies, equipment purchase/lease, services of other department and the creation of eight (8) positions for fiscal year 1995-96. (Supervisors Hsieh, Kaufman, Bierman)

File 101-95-13, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

[Annual Salary Ordinance, Recreation and Park Department]

Ordinance amending the Annual Salary Ordinance, Recreation and Park Department, reflecting the addition of eight (8) positions; for fiscal year 1995-96; companion measure to File 101-95-13. (Supervisors Hsieh, Kaufman, Bierman)

File 102-95-4, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

[Appropriation, Treasurer/Tax Collector]

Ordinance appropriating \$372,000, Treasurer/Tax Collector, from the General Fund Reserve, for services of other department (City Attorney) for costs of the revisions in the San Francisco Tax Code and the creation of four (4) positions in the City Attorney's Office for fiscal year 1995-96; placing a reserve on \$186,000. (Supervisors Hsieh, Kaufman, Bierman)

File 101-95-14, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

[Annual Salary Ordinance, City Attorney]

Ordinance amending the Annual Salary Ordinance, City Attorney's Office, reflecting the addition of four (4) positions, for fiscal year 1995-96; companion measure to File 101-95-14. (Supervisors Hsieh, Kaufman, Bierman)

File 102-95-3, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

[Lease, Golden Gate Park Stables, Inc.]

Ordinance approving a fifteen (15) year lease between the City and County and Golden Gate Park Stables, Inc., which provides for the operation of horse stables in Golden Gate Park. (Recreation and Park Department)

File 65-95-6, Ordinance No.

(Fiscal Impact.)

Supervisor Hallinan moved to continue consideration to August 21, 1995.

Motion lost for want of a second.

Deputy City Attorney Ted Lakey noted for the record that a new corrected copy of the lease has been submitted for the file which requires no action by the Board.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

Adopted

[Expansion of Structures, Golden Gate Park Stables]

Resolution authorizing erection, enlargement and expansion of structures within the demised premises of the stables in Golden Gate Park; companion measure to File 65-95-6. (Recreation and Park Department)

File 193-95-6, Resolution No. 658-95

(Fiscal Impact.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

Passed for Second Reading

[Fire Department Fees]

Ordinance amending Fire Code, to increase the fees for reinspection of violations, service fees, high-rise inspection fees, fees for review of plans submitted with building permit applications and for inspection of building construction. (Fire Commission)

File 117-95-1, Ordinance No.

(Fiscal Impact.)

(Amends Sections 3.104, 4.204, 4.207 and 4.208.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

Adopted

[Vacation of Public Sewer/Utilities Easement]

Resolution declaring intention of the Board of Supervisors to vacate a sewer and public utilities easement located within Block 735, Lot 26 in exchange for a new utility easement; setting a hearing date of September 11, 1995 at 3:00 p.m. for all persons interested in the proposed vacation. (Supervisors Bierman, Leal)

File 82-95-1, Resolution No. 603-95

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

In connection with the above item, Supervisor Leal requested to be added as co-sponsor.

[Bayshore Hester Assessment District]

Resolution approving a Preliminary Engineer's Report for a Special Assessment District designated "Bayshore Hester Assessment District No. 95-1"; calling a public meeting for September 11, 1995 at 3:00 p.m. and public hearing for September 25, 1995, at 3:00 p.m.; directing the Clerk of the Board to provide notice thereof; and authorizing other official action in connection therewith. (Supervisors Shelley, Teng)

File 251-95-2, Resolution No. 604-95

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

In connection with the above item, Supervisor Teng requested to be added as co-sponsor.

[Tax and Revenue Anticipation Notes]

Resolution approving and authorizing the borrowing of funds for fiscal year 1995-1996 and the issuance and sale of City and County of San Francisco 1995-1996 tax and revenue anticipation notes therefor; approving official notice of sale of such notes and authorizing the distribution thereof; approving notice of intention to sell such notes and authorizing the publication thereof; authorizing the public sale of such notes; approving trust agreement, letter of credit agreement and official statement relating to such notes; authorizing the delegation of the appointment of certain parties in connection with the issuance of such notes; and authorizing other official actions in connection therewith. (Supervisor Hsieh)

File 255-95-1, Resolution No. 643-95

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

Recommendations of Economic Vitality and Social Policy Committee

Adopted

[Juneteenth Festival, 1996]

Resolution urging the Mayor to urge the Redevelopment Agency Commission to assign up to \$50,000 of the Redevelopment Agency budget for the funding of the 1996 Juneteenth Festival and to designate the Center for African and African-American Art and Culture as the fiscal agent. (Supervisors Kennedy, Alioto, Kaufman, Ammiano, Bierman, Shelley)

File 161-95-8, Resolution No. 657-95

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

In connection with the above item, Supervisors Ammiano, Bierman, Shelley requested to be added as co-sponsors.

[Affordable Child Care Fund]

Resolution amending regulations governing expenditures of monies contributed by sponsors of large-scale office and hotel developments to the Affordable Child Care Fund. (Supervisor Kennedy)

File 252-95-1, Resolution No. 659-95

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

Appointment of President Pro Tempore

At the request of the President, Supervisor Leal assumed the Chair so the President could participate in the debate from the floor.

From Economic Vitality and Social Policy Committee  
Without Recommendation

Refused Adoption

[Calling for Local Congressional Hearings]

Resolution urging the Mayor to urge all of the Committees and Sub-Committees of the United States Senate and the House of Representatives through which Presidio Trust Bill, HR 1296 and S594, will pass to schedule their hearings on this legislation here in the San Francisco Bay Area and in such a way that the largest possible number of concerned citizens will be able to provide testimony. (Supervisor Kennedy)

File 13-95-18, Resolution No.

(June 5, 1995 - Rereferred to Committee.)

Refused adoption by the following vote:

Ayes: Supervisors Alioto, Ammiano, Kennedy - 3.

Noes: Supervisors Bierman, Hallinan, Hsieh, Kaufman, Leal, Migden, Shelley, Teng - 8.

[Animal Experimentation in Presidio National Park]

Resolution urging the Mayor to call upon the National Park Service, the Golden Gate National Recreation Area and the Presidio National Park to categorically reject and prohibit animal experimentation as an activity that would ever be permitted at the Letterman Army Institute for Research (Letterman Site) or anywhere within the Presidio National Park. (Supervisor Kennedy)

File 66-95-1, Resolution No.

(June 5, 1995 - Rereferred to Committee.)

Refused adoption by the following vote:

Ayes: Supervisors Ammiano, Kennedy - 2.

Noes: Supervisors Alioto, Bierman, Hallinan, Hsieh, Kaufman, Leal, Migden, Shelley, Teng - 9.

The President resumed the Chair.

Recommendations of Rules Committee

Adopted

[Appointment]

Resolution appointing member to the Delinquency Prevention Commission, for a new four-year term ending June 30, 1997. (Rules Committee)

File 92-93-21, Resolution No. 644-95



(Tracy Brown, Seat No. 21808, vice William P. Marquis, term expired.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

Appointment of President Pro Tempore

At the request of the President, Supervisor Hallinan assumed the Chair so the President could participate in the debate from the floor.

[Appointments]

Resolution appointing members to the Sunshine Ordinance Task Force, for the unexpired portion of the two-year terms ending April 27, 1996. (Rules Committee)

File 92-94-48, Resolution No. 646-95

(Charlotte P. Berk, Seat No. 27104, representative/League of Women Voters, vice Dr. Melinda Cuthbert, resigned;  
Landis Whistler, Seat No. 27107, public at-large/interest/experience in local government, vice Joseph Van Ness-Ballesteros, deceased.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Migden, Shelley, Teng - 10.

Absent: Supervisor Leal - 1.

The President resumed the Chair.

[Appointment]

Resolution appointing member to the Lead Poisoning Prevention Citizen's Advisory Board, for the unexpired portion of the three-year term ending August 20, 1996. (Rules Committee)

File 92-94-40.3, Resolution No. 645-95

(Stacey Samek, Seat No. 26622, Nurse, vice Alma Marroquin, resigned.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Migden, Shelley, Teng - 10.

Absent: Supervisor Leal - 1.

[Appointment]

Resolution appointing member to the Lead Hazard Reduction Citizens Advisory Committee, for unexpired portion of a four-year term ending June 25, 1997; waiving residency requirement. (Rules Committee)

File 92-95-12.1, Resolution No. 652-95

(James H. Hutchinson, Seat No. 26702, representative, Bureau of Building Inspection, vice Neil G. Rains, resigned.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Migden, Shelley, Teng - 10.

Absent: Supervisor Leal - 1.

[Appointments]

Resolution appointing members to the Lead Poisoning Prevention Citizen's Advisory Board; making findings waiving residency requirement. (Rules Committee)

File 92-95-23.1, Resolution No. 653-95

Monday, August 7, 1995

(Cheryl Marie Smith, Seat No. 26606, representative of Department of Public Health, vice Gail Herrick, resigned, for the unexpired portion of the three-year term ending August 20, 1996; Maggie LaRue, Seat No. 26608, representative, Mayor's Office of Housing and Child Care, vice Naja William Boyd, resigned, for the unexpired portion of the three-year term ending August 20, 1997; residency requirement waiver.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Migden, Shelley, Teng - 10.

Absent: Supervisor Leal - 1.

[Appointment]

Resolution appointing governing board member of the San Francisco Health Authority, for the unexpired portion of three-year term ending January 15, 1998. (Department of Public Health)

File 92-95-25, Resolution No. 655-95

(Sandra Stewart, Seat No. 50610, representative of San Francisco Authority Beneficiary Advisory Committee, vice Tony Leone, RN, resigned.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Migden, Shelley, Teng - 10.

Absent: Supervisor Leal - 1.

[Appointments]

Resolution appointing members to the Citizens Advisory Task Force for the Central Freeway. (Rules Committee)

File 92-95-24.1, Resolution No. 654-95

(Mark Pope, Seat No. 26301, resident of Hayes Valley/Western Addition, Robert W. Daniels, Seat No. 26311, resident of Hayes Valley/Western Addition, vice Mary Beth Frederick, resigned, term indefinite; Fredia D. Hall, Seat No. 26306, resident of Hayes Valley/Western Addition, vice Robert T. Czekala, resigned, term indefinite.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Migden, Shelley, Teng - 10.

Absent: Supervisor Leal - 1.

[Outreach Newspapers]

Motion establishing guidelines for the publication of weekly advertisements in outreach newspapers. (Supervisor Shelley)

File 54-95-8

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Migden, Shelley, Teng - 10.

Absent: Supervisor Leal - 1.

SPECIAL ORDER 3:00 P.M.

Board of Supervisors Sitting as a Committee of the Whole

Hearing Held

[Public Hearing]

Hearing of persons interested in or objecting to changing the applicable age, exceptions, enforcement procedures of the juvenile curfew and to create an oversight committee; providing for sunset clause.

File 121-95-4

The privilege of the floor was granted to the following persons:

Speaking in favor: Linda Jang; Diana Garcia; Ms. Rodriguez; Lynn Ishida Barbaree; Mercedes Hernandez; Dehnert Queen.

Speaking in opposition: Shelley Salieri; John O'Brien; Essie; Rudy Corpuz; female youth; Wayne Walker; Leboriae P. Smoore; Cathy Perry; female speaker; male speaker; Fernando Amego; Jo Hirschmann; Demetria Errand; Loretta; Markena; Mr. Cruz; Michael Hopper; Arlene Ese; Gregory Wiggins; Mr. Lazarus; Greg Young; Hal Womack; Loretta Cochran; Bruce Capstock; Jose Parmon; Miquel; male social worker; Ms. Holmes; Rockelle; Mr. White; Mauricio.

No position: Martin Reed; Amos C. Brown; Wayne Sherman.

Committee of the Whole Rise and Report Without Recommendation

Supervisor Leal, seconded by Supervisor Teng, moved that the Committee of the Whole rise and report without recommendation.

Motion adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

Passed for Second Reading as Amended

[Amending Juvenile Curfew Ordinance]

Ordinance amending Police Code, to change the applicable age, exceptions, enforcement procedure, of the juvenile curfew and to create an oversight committee; providing for sunset clause. (Mayor)

File 121-95-4, Ordinance No.

(Amends Section 539.)

(July 31, 1995 - Consideration continued as amended to Committee of the Whole August 7, 1995 at 3:00 p.m.)

Supervisor Hsieh, seconded by Supervisor Kaufman, moved to amend page one, line 22, and page four, line two, by changing "16" to "17";

Motion to amend adopted by the following vote:

Ayes: Supervisors Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley - 6.

Noes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Teng - 5.

Supervisor Teng, seconded by Supervisor Leal, moved to amend page six, line 14, after "Department." by inserting "If the arresting officer is told by the minor, or discovers upon attempting to notify the minor's parent or legal guardian, that the parent's or legal guardian's first language is a language other than English, the officer will locate an officer or translator who is culturally sensitive and linguistically proficient to speak with the parent or guardian."

Motion to amend adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

Supervisor Migden, seconded by Supervisor Leal, moved to amend page six, line 24, after "guardian." by inserting "If the minor reports to the police that the minor does not wish to return to the minor's place of residence because the minor's parent or legal guardian is unable or unwilling to provide appropriate care for the minor, then the matter shall be immediately forwarded for evaluation to the Department of Social Services pursuant to Welfare and Institutions Code Section 300, et seq."

Motion to amend adopted by the following vote:

Ayes: Supervisors Alioto, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 9.

Noes: Supervisors Ammiano, Bierman - 2.

Passed for second reading as amended by the following vote:

Ayes: Supervisors Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 8.

Noes: Supervisors Alioto, Ammiano, Bierman - 3.

Conference with Labor Negotiator - Collective Bargaining

Adopted

Motion that the Board of Supervisors convene in closed session with Wendell Pryor, Director of Human Resources, Geoffrey Rothman, Employee Relations Director; Alice Villagomez, Assistant Director, concerning the Police, Fire and Transport Workers Unions for the purpose of reviewing the City's position and instructing its designated representatives concerning collective bargaining negotiations involving all forms of compensation (including wages, hours, benefits, and working conditions), as authorized by Section 3.100-2 of the City Charter and the California Government Code Section 54957.6.

Supervisor Leal, seconded by Supervisor Kaufman, moved adoption.

Motion adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Hsieh, Kaufman, Kennedy, Leal, Shelley, Teng - 8.

Absent: Supervisors Alioto, Hallinan, Migden - 3.

Recess

The Board recessed at the hour of 6:57 p.m. to convene in closed session pursuant to above motion.

Reconvening of the Board

The Board, at the hour of 7:11 p.m. reconvened.

Calling the Roll

On call of the roll, the following Supervisors were noted present:

Supervisors Ammiano, Bierman, Hsieh, Kaufman, Kennedy, Leal, Shelley, Teng - 8.

Noted Absent: Supervisors Alioto, Hallinan, Migden - 3.

Quorum present.

Report on Closed Session

Deputy City Attorney Ted Lahey reported that the Board had met in closed session with the City's employee relations representatives as provided in the Government Code. The meeting was informational only.

Adopted

Motion that the Board of Supervisors finds that it is in the best interest of the public and elects not to disclose its closed session deliberations in pending employee relations negotiations.

Supervisor Leal, seconded by Supervisor Kaufman, moved adoption.

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Hsieh, Kaufman, Kennedy, Leal, Shelley, Teng - 8.

Absent: Supervisors Alioto, Hallinan, Migden - 3.

PUBLIC COMMENT

The privilege of the floor was granted to the following persons:

Dehnert Queen, Presidio Trust Act, churches for sale;  
Wayne Sherman, committee room access and schedule;  
Donna Davies, Presidio;  
Gregory Wiggins, police brutality;  
Leboriae P. Smoore; police, marijuana;  
Joan Gerraldo, Presidio Trust bill;  
Sharon Hewlett; police accountability, gun legislation;  
Clarence Livingston, police accountability;  
Marie Harrison, Presidio, police accountability.

There being no one else present wishing to speak, the President declared the public comment portion of the meeting closed.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures were introduced at a prior meeting of the Board with action requested at this meeting. Any Supervisor may require these measures to go to committee unless a motion to suspend the rules is adopted by eight votes (or a unanimous vote if only six or seven members are present). An "aye" vote is (a) a vote in favor of suspending the rule requiring reference to committee, and (b) a vote in favor of adoption of the measures. Eight votes (or a unanimous vote if only six or seven members are present) is required.

Severed From For Adoption Without Committee Reference Calendar

Supervisor Kennedy requested that the following measure be severed from the For Adoption Without Committee Reference Calendar and considered separately.

Adopted as Amended

[Police Accountability]

Resolution appointing comprehensive Community Policing and Public Safety Strategy Task Force and urging improvements in accountability of police officers to community. (Supervisors Kennedy, Ammiano, Bierman, Alioto, Hallinan, Teng)

File 174-95-6, Resolution No. 660-95

(July 31, 1995 - Introduced in Board for consideration on August 7, 1995.)

Supervisor Kennedy, seconded by Supervisor Alioto, moved an amendment of the whole entitled, "Resolution appointing comprehensive Community Policing and Public Safety Strategy Task Force and urging improvements in accountability of police officers to community."

Amendment of the whole adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hsieh, Kaufman, Kennedy, Leal, Shelley, Teng - 9.

Absent: Supervisors Hallinan, Migden - 2.

Adopted as amended by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hsieh, Kaufman, Kennedy, Leal, Shelley, Teng - 9.

Absent: Supervisors Hallinan, Migden - 2.

In connection with the above item, Supervisors Hallinan, Teng requested to be added as co-sponsors.

Severed From For Adoption Without Committee Reference Calendar

Supervisor Ammiano requested that the following measure be severed from the For Adoption Without Committee Reference Calendar and considered separately.

Adopted

[Needle Exchange Emergency]

Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the Needle Exchange Program. (Supervisors Alioto, Leal, Bierman, Shelley, Migden, Teng)

File 30-95-1.16

(July 31, 1995 - Introduced in Board for consideration on August 7, 1995.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hsieh, Kaufman, Leal, Shelley, Teng - 8.

Absent: Supervisors Hallinan, Kennedy, Migden - 3.

The Board thereupon resumed its consideration of the following items on the For Adoption Without Committee Reference Calendar.

For Adoption Without Committee Reference Calendar

Adopted

[Hiroshima and Nagasaki Remembrance Days]

Resolution proclaiming August 6 and 9, 1995, as Hiroshima and Nagasaki Remembrance Days, respectively. (Supervisors Teng, Alioto, Shelley, Leal, Bierman)

File 4-95-17, Resolution No. 648-95

(July 31, 1995 - Introduced in Board for consideration on August 7, 1995.)

Adopted.

In connection with the above item, Supervisors Shelley, Leal, Bierman requested to be added as co-sponsors.

[Commend S.F. Giants' "Until There's a Cure Day"]

Resolution commending the San Francisco Giants for hosting the second "Until There's a Cure Day" at Candlestick Park. (Supervisor Alioto, Migden, Shelley, Leal, Kaufman, Teng, Bierman)

File 6-95-72, Resolution No. 649-95

(July 31, 1995 - Introduced in Board for consideration on August 7, 1995.)

Adopted.

In connection with the above item, Supervisors Migden, Shelley, Leal, Kaufman, Teng, Bierman requested to be added as co-sponsors.

[Commend Christopher Durang's "Beyond Therapy"]

Resolution commending Christopher Durang's comedy "Beyond Therapy" on the occasion of its Fourth Anniversary, making it San Francisco's longest running non-musical comedy. (Supervisor Migden, Shelley, Leal, Teng, Bierman, Kaufman)

File 6-95-73, Resolution No. 650-95

(July 31, 1995 - Introduced in Board for consideration on August 7, 1995.)

Adopted.

In connection with the above item, Supervisors Shelley, Leal, Teng, Bierman, Kaufman requested to be added as co-sponsors.

[Protecting CVPIA]

Resolution urging Bay Area Congressional Representatives to oppose H.R. 1906 and any proposed amendments to the Central Valley Project Improvement Act (CVPIA) as ill-advised at this critical state in the implementation of the CVPIA and the Bay-Delta Agreement. (Supervisors Hallinan, Alioto, Shelley, Teng)

File 13-95-23, Resolution No. 651-95

(July 31, 1995 - Introduced in Board for consideration on August 7, 1995.)

Adopted.

In connection with the above item, Supervisors Shelley, Teng requested to be added as co-sponsors.

[Final Map, 200 Portola Drive]

Motion approving final map of 200 Portola Drive, a Condominium Project, being a resubdivision of Lot 46 in Assessor's Block 2847, and adopting findings pursuant to City Planning Code Section 101.1. (Department of Public Works)

File 58-95-17

(July 31, 1995 - Introduced in Board for consideration on August 7, 1995.)

Adopted.

[Final Map, 745 Chestnut Street]

Motion approving final map of 745 Chestnut Street, a Condominium Project, being a resubdivision of Lot 34 in Assessor's Block 66, and adopting findings pursuant to City Planning Code Section 101.1. (Department of Public Works)

File 58-95-18

(July 31, 1995 - Introduced in Board for consideration on August 7, 1995.)

Adopted.

The foregoing items on the For Adoption Without Committee Reference Calendar were adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hsieh, Kaufman, Kennedy, Leal, Shelley, Teng - 9.

Absent: Supervisors Hallinan, Migden - 2.

#### IMMEDIATE ADOPTION CALENDAR

These measures are being introduced at this meeting. A unanimous vote is required for adoption today. Any Supervisor may require any of these measures to go to committee.

Adopted

[Leaves of Absence]

Resolution granting leaves of absence to various city and county officers with permission to leave the state. (Clerk of the Board)

File 1-95-30, Resolution No. 605-95

Adopted.

(Kevin Shelley, member, Board of Supervisors, August 19 - 26, 1995.)

The foregoing item on the Immediate Adoption Calendar was adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Hsieh, Kaufman, Leal, Shelley, Teng - 7.

Absent: Supervisors Alioto, Hallinan, Kennedy, Migden - 4.

#### IMPERATIVE CALENDAR

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the following two motions.

Adopted

[Purely Commendatory Finding]

Motion that the Board finds by roll call vote that the resolutions being considered at this time are purely commendatory.

Supervisor Leal, seconded by Supervisor Teng, moved adoption.

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Hsieh, Kaufman, Leal, Shelley, Teng - 7.

Absent: Supervisors Alioto, Hallinan, Kennedy, Migden - 4.

[Brown Act Finding]

Motion that the Board finds by roll call vote that for the resolutions being considered at this time there is a need to take immediate action and the need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

Supervisor Leal, seconded by Supervisor Teng, moved adoption.

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Hsieh, Kaufman, Kennedy, Leal, Shelley, Teng - 8.

Absent: Supervisors Alioto, Hallinan, Migden - 3.

[Imperative Resolutions, if any]

Adopted

[Commend Chinese American Citizens Alliance]

Resolution commending the Chinese American Citizens Alliance on its One Hundred Year Anniversary and declaring August 13, 1995 to be Chinese American Citizens Alliance Day.

File 006-95-074, Resolution No. 609-95

Supervisors Teng, Hsieh, Shelley, Bierman, Ammiano, Leal presented for immediate adoption.

Resolution adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Hsieh, Kaufman, Leal, Shelley, Teng - 7.

Absent: Supervisors Alioto, Hallinan, Kennedy, Migden - 4.

[Commend SportsBridge]

Resolution commending SportsBridge, the Center for Girls and Women in Sports for its contributions in providing opportunities to low-income, at-risk girls to participate in sports and declaring August 12, 1995 "Girls in Sports Day" in San Francisco.

File 006-95-076, Resolution No. 610-95

Supervisors Leal, Bierman, Kaufman, Migden, Alioto, Teng, Ammiano presented for immediate adoption.

Resolution adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Hsieh, Kaufman, Kennedy, Leal, Shelley, Teng - 8.

Absent: Supervisors Alioto, Hallinan, Migden - 3.

#### OFF-CALENDAR LEGISLATION

#### ROLL CALL FOR INTRODUCTION OF MEASURES AND COMMUNICATIONS NOT CONSIDERED OR REPORTED ON BY COMMITTEE

Referred to Committee

[Sunshine Ordinance Amendment]

Ordinance amending Administrative Code Sections 67.7, 67.15 and 67.24 to require policy body agendas to refer to rights provided in the Sunshine Ordinance; to amend the time requirements for seeking sign language interpreters at the meetings of policy bodies; and to authorize the Director of Public Health to withhold from public disclosure payment rates in managed care contracts if the Director makes a certain determination, and providing a Sunset Clause for the exemption. Supervisor Shelley presented. Referred to Rules Committee with request it be considered at the August 15, 1995 meeting.

File 097-95-040.



[Bicycle Racks]

Draft ordinance amending Planning Code by adding Section 155(j.1) to provide bicycle storage for all City-owned and City-leased properties. Supervisor Migden presented. Referred to Housing and Land Use Committee.

File 115-95-008.

Referred to Board

[Commend "Potrero View"]

Resolution calling attention to the observance of the 25th Anniversary of San Francisco's leading monthly neighborhood newspaper, the "Potrero View". Supervisor Ammiano presented. Referred to Board for Adoption Without Committee Reference Calendar August 14, 1994.

File 004-95-018.

[Commend Consenting Adult Law]

Resolution honoring the 20th Anniversary of the Consenting Adult Bill becoming law. Supervisors Migden, Leal, Bierman, Hallinan, Teng, Kaufman, Shelley presented. Referred to Board for Adoption Without Committee Reference Calendar August 14, 1995.

File 006-95-075.

[Commend Juanita U. Pascual]

Resolution commending Juanita U. Pascual and declaring August 26, 1995 to be Juanita Pascual Day. Supervisor Teng presented. Referred to Board for Adoption Without Committee Reference Calendar August 14, 1995.

File 006-95-077.

[Homeowners and Earthquake Insurance]

Resolution urging the State Legislature and the Department of Insurance to resolve the homeowners insurance crisis in California. Supervisor Migden presented. Referred to Board for Adoption Without Committee Reference Calendar August 14, 1995.

File 012-95-044.

[Encouraging BART to Relocate to San Francisco]

Resolution encouraging the Bay Area Rapid Transit (BART) to relocate to San Francisco, where it would be a welcome addition to the San Francisco community. Supervisors Hsieh, Bierman, Kaufman presented. Referred to Board for Adoption Without Committee Reference Calendar August 14, 1995.

File 012-95-045.

[New Trial for Mumia Abu-Jamal]

Resolution urging the Mayor to ask the Pennsylvania Court of Common Pleas, the Pennsylvania Supreme Court and Governor Thomas Ridge for a stay of execution, new trial, and new trial judge in the case of prize-winning African-American journalist, Mumia Abu-Jamal. Supervisors Bierman, Ammiano, Alioto, Hallinan, Kennedy, Leal, Migden, Teng presented. Referred to Board for Adoption Without Committee Reference Calendar August 14, 1995.

File 013-95-024.

Referred to Committee

[BART To The Airport]

Resolution urging the Mayor to request the Airports Commission to rescind its approval of Plan X and instead approve BART's Plan B. Supervisor Shelley presented. Referred to Rules Committee with request it be considered at the August 15, 1995 meeting.

File 027-95-010.02.

Referred to Board

[Gift Acceptance, Billboard Space]

Resolution authorizing the Department of Public Health to accept and expend a gift valued at over \$15,000 from Patrick Media Group, Inc. to provide billboard space for use in the Department's public service campaign for the residents of San Francisco. Supervisor Hallinan presented. Referred to Board for Adoption Without Committee Reference Calendar August 14, 1995.

File 038-95-008.

Referred to Committee

[Appropriations Limit, 1995-96]

Resolution establishing the Appropriation Limits for fiscal year 1995-96 pursuant to California Constitution Article XIII B. Supervisor Hsieh presented. Referred to Budget Committee with request it be considered at special meeting September 5, 1995.

File 101-95-016.

[Expunging Arrest Records]

Resolution urging the Mayor to urge the Police Commission and Police Department, and additionally urging the District Attorney, to take all steps necessary to expunge, or to further the expungement of, the arrest and other related records arising from the arrest by the San Francisco Police Department of approximately 279 protesters on June 26, 1995. Supervisor Alioto presented. Referred to Health/Public Safety/Environment Committee.

File 207-95-011.01.

Referred to Board

[Liquor License, Beyond Therapy, 340 Mason]

Resolution determining that the issuance of a beer and wine license to Jim Miller, dba Beyond Therapy, at the Mason Street Theater, will serve the convenience and necessity of the people of the City and County, in accordance with Section 23958.4 of the California Business and Professions Code and rescinding Resolution No. 542-95. Supervisor Migden presented. Referred to Board for Adoption Without Committee Reference Calendar August 14, 1995.

File 223-95-005.01.

Requests for Hearings:

[Ballot Argument]

Hearing to consider ballot argument in favor of a bond issue concerning Steinhart Aquarium. Supervisor Shelley presented. Referred to Rules Committee.

File 060-95-005.01.

[Ballot Argument]

Hearing to consider ballot argument in favor of a bond issue concerning underground storage tanks. Supervisor Hsieh presented. Referred to Rules Committee.

File 060-95-005.02.

[Ballot Argument]

Hearing to consider ballot argument in favor of a bond issue concerning City Hall. Supervisor Hsieh presented. Referred to Rules Committee.

File 060-95-005.03.

[Ballot Argument]

Hearing to consider ballot argument in favor of an ordinance concerning campaign finance reform. Supervisor Hallinan presented. Referred to Rules Committee.

File 060-95-004.01.

[Ballot Argument]

Hearing to consider ballot argument in favor of an ordinance concerning taxicab regulations. Supervisor Bierman presented. Referred to Rules Committee.

File 060-95-006.01.

[Ballot Argument]

Hearing to consider ballot argument against an initiative ordinance to repeal law that renamed Army Street to Cesar Chavez Street. Supervisor Leal presented. Referred to Rules Committee.

File 060-95-009.

[Ballot Argument]

Hearing to consider motion to submit ballot argument concerning juvenile curfew ordinance. Supervisor Shelley presented. Referred to Rules Committee.

File 060-95-010.

[Ballot Argument]

Hearing to consider motion to submit ballot argument concerning Parking and Traffic initiative. Supervisor Shelley presented. Referred to Rules Committee.

File 060-95-011.

[Ballot Argument]

Hearing to consider submitting ballot argument concerning Municipal Railway audit. Supervisor Shelley presented. Hearing to consider motion to submit ballot argument concerning Municipal Railway audit. Supervisor Shelley presented. Referred to Rules Committee.

File 060-95-012.

[Ballot Arguments]

Hearing to consider motion to submit ballot arguments concerning propositions filed with the Registrar of Voters after August 6, 1995. Supervisor Shelley presented. Referred to Rules Committee.

File 060-95-013.

[Ballot Argument]

Hearing to consider ballot argument in favor of repealing the 1932 Charter and to enact a new Charter. Supervisors Kaufman, Leal, Teng, Kennedy presented. Referred to Rules Committee.

File 281-94-002.

[Ballot Argument]

Hearing to consider ballot argument in favor of a charter amendment concerning establishing a youth commission. Supervisors Alioto, Kennedy, Bierman, Ammiano, Teng, Hallinan, Shelley presented. Referred to Rules Committee.

File 235-95-002.

[Ballot Argument]

Hearing to consider ballot argument in favor of a charter amendment concerning the Office of Citizen Complaints. Supervisor Ammiano presented. Referred to Rules Committee.

File 243-95-002.

[Ballot Argument]

Hearing to consider ballot argument in favor of a charter amendment concerning exempting certain contracts from prevailing wage requirements. Supervisors Hallinan, Leal, Bierman, Alioto presented. Referred to Rules Committee.

File 253-95-002.

[Mandatory Direct Rent Payment Program]

Hearing to consider the manner in which Proposition N, the General Assistance Mandatory Direct Rent Program, is to be implemented and the release by the Controller of funds for this program which were placed on reserve by the Board of Supervisors. Supervisor Hallinan presented. Referred to Government Efficiency/Labor Committee.

File 107-95-001.02.

Motions:

Referred to Board

[Mandatory Direct Rent Payment Program]

Motion urging the Controller not to release the \$750,000 now on reserve intended for the implementation of the mandatory direct rent payment program until such time as the Government Efficiency and Labor Committee of the Board of Supervisors has held a hearing to consider the manner in which the mandatory

direct rent payment program is to be implemented, said hearing to include the matter of the release by the Controller of funds for this program which were placed on reserve by the Board of Supervisors. Supervisor Hallinan presented. Referred to Board for Adoption Without Committee Reference Calendar August 14, 1995.

File 107-95-001.03.

Introduced by the President at the Request of Departments

Ordinances Referred to Committee

[Zoning Map Amendments, South Bayshore Area] Ordinance adopting changes in Height and Bulk Districts and Property Use Districts reclassification as amendments to the Zoning Map of the City and County of San Francisco concerning properties in the area known as South Bayshore or Bayview Hunters Point; bounded by Army Street on the north; the San Francisco/San Mateo County Line on the south; the James Lick Freeway on the west, and the Bay Shoreline on the east; and finding consistency with the Master Plan priority policies in Section 101.1 of the Planning Code; companion measure to Files 36-95-3 and 115-95-7. (Department of City Planning) Referred to Housing and Land Use Committee.

File 036-95-003.01.

[Zoning Map Amendment, 2300 3rd Street] Ordinance adopting changes in property use classification to the Zoning Map of the City and County of San Francisco of property located at 2300 23rd Street, east side between 20th and 22nd Streets, a portion of Lot 1, Assessor's Block 4108 from the "P-40-X" (Public Use-Height) District to an "M-2, 40-X" (Heavy Industrial 40-Foot Height) District and adopting findings pursuant to City Planning Code Section 101.1. (Department of City Planning) Referred to Housing and Land Use Committee.

File 036-95-004.

[Settlement of Litigation, Wheeler v. CCSF, Et Al.] Ordinance authorizing settlement of litigation of Virginia Wheeler and Earl Wheeler against the City and County of San Francisco by payment of \$16,250. (Superior Court No. 959-908) (City Attorney) Referred to Government Efficiency/Labor Committee.

File 045-95-031.

[Settlement of Litigation, Ying v. Poon and DPT] Ordinance authorizing settlement of litigation of Xiu Jun Ying against Derrick Shen Poon and the City County of San Francisco Parking and Traffic, by payment of \$18,000. (Superior Court No. 955-253) (City Attorney) Referred to Government Efficiency/Labor Committee.

File 045-95-032.

[Sale of Surplus Property] Ordinance authorizing the sale of surplus City-owned property and adopting findings pursuant to City Planning Code Section 101.1. (Real Estate Department) (Parcel 1. Assessor's Block 4832, Lot 8, located at the northeast corner of the intersection of Yosemite Avenue and Ingalls Street; Parcel 2. Assessor's Block 3644, Lot 5, located on the west side of Valencia Street between 23rd and 24th Streets; Parcel 3. Assessor's Block 3577, Lot 60, located on the south side of 17th Street between Guerrero and Valencia Streets; Parcel 4. Assessor's Block 513, Lot 5, located on the south side of Greenwich Street between Scott and Pierce Streets) Referred to Government Efficiency/Labor Committee.

File 096-95-003.

[Sale of Surplus Property] Ordinance authorizing the sale of surplus property known as Assessor's Block 652, Lot 7A and adopting findings pursuant to City Planning Code Section 101.1. (Also see File 38-94-2.) (Real Estate Department) (Proposed auction of City's partial interest in Block 652, Lot 7A known as 2110-12 Pine Street bequeathed by the will of John B. Fortunio.) Referred to Government Efficiency/Labor Committee.

File 096-95-004.

[Third Street Special Use District] Ordinance amending Planning Code by adding Section 249.14 to establish a Special Use District on Third Street from Evans Avenue to Key Avenue encompassing all commercially and industrially-zoned properties occupying the frontage of this segment of Third Street 1) prohibiting establishment of expansion of retail outlets selling alcoholic beverages for off-site consumption; and 2) requiring conditional use authorization for drive-up facilities for fast food or self-service restaurants; and by amending Section 712.25 and 712.40 to refer to the Third Street Special Use District; and by adding Section 712.45 to refer to the Third Street Special Use District; and by amending Section 780 to refer to the Third Street Special Use District; and by adding Section

249.15 to establish the Restricted Light Industrial Special Use District including approximately seventy acres of land at the edges of the South Basin East Industrial Area restricting intensive industrial uses; and finding consistency with the Master Plan priority policies in Section 101.1 of the City Planning Code; companion measure to Files 36-95-3 and 36-95-3.1. (Department of City Planning) Referred to Housing and Land Use Committee.

File 115-95-007.

[Street Vacation and Sale - Portion of Montcalm St.] Ordinance ordering the vacation and authorizing the sale of a portion of Montcalm Street between Franconia Avenue and Peralta Avenue, fronting 210 Montcalm Street, Block 5538, Lot 5, and adopting findings pursuant to City Planning Code Section 101.1; companion measure to File 164-95-3. (Real Estate Department) Referred to Housing and Land Use Committee.

File 164-95-003.01.

Resolution Referred to Board

[Garbage Liens] Resolution confirming report of delinquent charges for refuse collection services and nuisance removal costs submitted by the Director of Public Health, as modified to the date of adoption of this resolution, and creating special assessments and liens based thereon. (Department of Public Health) Scheduled for public hearing before Board on August 28, 1995, at 3:00 p.m.

File 014-95-002.

Resolutions Referred to Committee

[Prop J Contract, Shelter and Intake Services] Resolution concurring with the Controller's certification that intake and shelter services to status offenders can be practically performed by private contractor for lower costs than similar work services performed by City and County employees. (Juvenile Probation Department) Referred to Government Efficiency/Labor Committee.

File 025-95-026.

[Prop J Contract, Pre-Trial Diversion Program] Resolution approving the Controller's certification that the pretrial diversion program for the City and County of San Francisco can practically be performed by private contractor at a lower cost for the year commencing July 1, 1995, than if work were performed by City and County employees. (Sheriff) Referred to Government Efficiency/Labor Committee.

File 025-95-027.

[Prop J Contract, Eviction Assistance Program] Resolution approving the Controller's certification that the eviction assistance program for the City and County of San Francisco can practically be performed by private contractor at a lower cost for the year commencing July 1, 1995, than if work were performed by City and County employees. (Sheriff) Referred to Government Efficiency/Labor Committee.

File 025-95-028.

[Prop J Contract, Own Recognizance Project] Resolution approving the Controller's certification that the San Francisco "O.R." Project for the City and County of San Francisco can practically be performed by private contractor at a lower cost for the year commencing July 1, 1995, than if work were performed by City and County employees. (Sheriff) Referred to Government Efficiency/Labor Committee.

File 025-95-029.

[Prop J Contract, Jail Food Services] Resolution approving the Controller's certification that county jail food service management operations for the City and County of San Francisco can practically be performed by private contractor at a lower cost for the year commencing July 1, 1995, than if work were performed by City and County employees. (Sheriff) Referred to Government Efficiency/Labor Committee.

File 025-95-030.

[Final Neg Declaration, South Bayshore Area Plan] Resolution adopting Final Negative Declaration, finding and determining that the South Bayshore Area Plan, proposed changes to the planning code text, and proposed changes in height and bulk districts and property use districts reclassification as amendments to the Zoning Map of the City and County of San Francisco for the area known as South Bayshore or Bayview Hunters Point, generally bounded by Army Street on the north, the San Francisco/San Mateo County Line on the south, the James Lick Freeway on the west, and the Bay Shoreline on the east, as approved by City Planning Commission Resolutions 13917, 13918, and 13919, will have no significant effect on the environment, and adopting and incorporating the findings of the Final Negative

Declaration; companion measure to Files 115-95-7 and 36-95-3.1. (Department of City Planning) Referred to Housing and Land Use Committee.

File 036-95-003.

[Residential Parking "U", South of Market] Resolution extending the boundaries of Residential Permit Parking Area "U" in the South of Market area and adding to the list of streets upon which time limitations shall apply. (Department of Parking and Traffic) Referred to Housing and Land Use Committee.

File 040-95-013.

Resolution Referred to Board

[Special Assessment Liens for Assessment of Costs] Resolution confirming report of delinquent charges for (Assessment of Costs) Code enforcement cases, submitted by the Director of Department of Building Inspection for services rendered by said Department pursuant to the provisions of Sections 203(b), (p), (q), (r), and 331.3 of the San Francisco Building Code, the costs thereof having accrued to abate properties with outstanding code enforcement violations. (Department of Building Inspection) Scheduled for public hearing before Board on August 21, 1995 at 3:00 p.m.

File 041-95-004.

Resolutions Referred to Committee

[SDI Coverage, 1248 Assistant Division Manager] Resolution authorizing enrollment of Classification(s) 1248 Assistant Division Manager, in the State Disability Insurance Program. (Department of Human Resources) Referred to Government Efficiency/Labor Committee.

File 089-95-006.

[Street Vacation/Sale - Portion of Montcalm St.] Resolution declaring intention of the Board of Supervisors to vacate a portion of Montcalm Street between Franconia Avenue and Peralta Avenue, fronting 210 Montcalm Street, Block 5538, Lot 5, and setting the hearing date for all persons interested in the proposed vacation; companion measure to File 164-95-3.1. (Real Estate Department) Referred to Housing and Land Use Committee.

File 164-95-003.

Requests Granted

There being no objection, the Board directed the Clerk to comply with the following requests:

By Supervisor Bierman, that City Attorney review the Mills Act of 1976 relating to tax credits for rehabilitation of qualified historic properties and article entitled, "Preservation Incentives: Getting Into the Mills Act" and prepare ordinance to implement the act.

By Supervisor Kennedy, that City Attorney review proposed draft ordinance regulating heating and ventilation and air conditioning industry and prepare appropriate legislation.

By Supervisor Shelley, that City Attorney prepare ordinance concerning gun control to establish stringent background checks on all employees of pawn shops and other stores where guns and ammo are sold, with tougher standards preventing "straw sales" to prohibited persons; to require all gun owners to own alarm systems at the home or business site where gun(s) are located, and adequate homeowners/liability insurance in case of accidental shootings, thefts; to establish a one-gun month limitation on gun purchases per store per purchaser; to require bold warning labels be affixed to each firearm sold outlining the risk to the user's household, and gun owner liability if gun gets into wrong hands; to only allow semi-auto handguns which have loaded chamber indicators to be sold in the city; to mandate the reporting of firearm theft (Currently Section 610.4 of the Police Code makes failure to notify the police chief of a firearm transfer a misdemeanor). An ordinance requiring that thefts also be reported would encourage the safe storage of weapons and facilitate the tracking of stolen weapons; and to amend the definition of "banned" ammunition.

Motions Adopted

Motion that the Board adjourn its meeting this date out of respect to the memory of the following deceased:

Judge Cantrell, Jr. (Supervisor Willie B. Kennedy)  
Robert De Andreis (Supervisor Migden)  
Robert Pryor Conrad (Supervisor Migden)  
Senator Cal Anderson (Supervisor Migden)  
Catherine C. Kelly (Supervisor Leal)

File 2-95-30

Unanimously adopted by a rising vote.

ADJOURNMENT

There being no further business, the Board at the hour of 7:12 p.m. adjourned.

John L. Taylor, Clerk

N.B. This Journal of Proceedings sets forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on October 2, 1995.

I, John L. Taylor, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Journal of Proceedings of said Board on the date stated and was approved as recited.

John L. Taylor  
Clerk of the Board of Supervisors





Monday, August 14, 1995

# Journal of Proceedings

*The Minutes of the*

## Board of Supervisors

City and County of San Francisco

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JOURNAL OF PROCEEDINGS

BOARD OF SUPERVISORS

\_\_\_\_\_  
Monday, August 14, 1995 - 2:00 p.m.  
\_\_\_\_\_

The Board of Supervisors of the City and County of San Francisco met in regular session on the above date with President Kevin Shelley presiding.

CALLING THE ROLL

The meeting was called to order at 2:17 p.m. On call of the roll, the following Supervisors were noted present:

Supervisors Ammiano, Bierman, Hallinan, Kaufman, Kennedy, Migden, Shelley, Teng - 8.

Noted absent at first roll call:

Supervisors Alioto, Hsieh, Leal - 3.

Quorum present.

Supervisor Alioto was noted present at 2:20 p.m.

Supervisor Hsieh excused, on official leave of absence.

Supervisor Leal excused, on official leave of absence.

APPROVAL OF JOURNALS

There being no errors, corrections or omissions, Supervisor Teng, seconded by Supervisor Kennedy, moved that the Journals of Proceedings for Monday, June 5 and June 12, 1995, be approved.

Motion carried by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Kaufman, Kennedy, Migden, Shelley, Teng - 9.

Absent: Supervisors Hsieh, Leal - 2.

CONSENT CALENDAR

Recommendations of Budget Committee

Finally Passed

[Appropriation, Department of Public Works]  
Ordinance appropriating \$36,480,000, Department of Public Works, of 1990 Earthquake Safety Bond Proceeds and interest earnings and transferring \$8,491,539 from Capital Improvement Projects at the Veterans Building and City Hall to Capital Improvement Projects for seismic upgrading of the War Memorial Opera House, for fiscal year 1995-96; placing a reserve on \$34,831,269. (Controller)

File 101-95-7, Ordinance No. 273-95

Finally passed.

[Appropriation, Hetch Hetchy]  
Ordinance appropriating \$597,015, Hetch Hetchy, of Hetch Hetchy Operating Funds to Capital Improvement Project to allow Hetch Hetchy to repair the Priest Reservoir Diversion Channel for fiscal year 1995-96; providing for ratification of action previously taken. (Public Utilities Commission)

File 101-95-9, Ordinance No. 274-95

Finally passed.

[Appropriation, Department of Social Services]

Ordinance appropriating \$55,431, Department of Social Services, of Federal Revenue to contractual services for the Independent Living Skills Program for fiscal year 1995-96. (Department of Social Services)

File 101-95-10, Ordinance No. 275-95

Finally passed.

[Appropriation, Mayor's Office]

Ordinance appropriating \$33,522, Mayor's Office of Community Development, of Dispute Resolution Program Funds, to continue contracts for dispute resolution services in 1995-96; providing for ratification of action previously taken. (Mayor's Office of Community Development)

File 101-95-11, Ordinance No. 276-95

Finally passed.

[Appropriation, Recreation and Park Department]

Ordinance appropriating \$1,211,014, Recreation and Park Department, from the General Fund Reserve for salaries, mandatory fringe benefits, materials and supplies, equipment and the creation of seventy-eight (78) positions for fiscal year 1995-96. (Supervisors Hsieh, Kaufman, Bierman)

File 101-95-12, Ordinance No. 277-95

Finally passed.

[Salary Ordinance Amendment, Recreation and Park Department]

Ordinance amending Annual Salary Ordinance, 1995-96, Recreation and Park Department, reflecting the addition of seventy-eight (78) positions; companion measure to File 101-95-12. (Supervisors Hsieh, Kaufman, Bierman)

File 102-95-5, Ordinance No. 282-95

Finally passed.

[Appropriation, Recreation and Park Department]

Ordinance appropriating \$502,223, Recreation and Park Department, from the General Fund Reserve for salaries - miscellaneous, mandatory fringe benefits, materials and supplies, equipment purchase/lease, services of other department and the creation of eight (8) positions for fiscal year 1995-96. (Supervisors Hsieh, Kaufman, Bierman)

File 101-95-13, Ordinance No. 278-95

Finally passed.

[Annual Salary Ordinance, Recreation and Park Department]

Ordinance amending the Annual Salary Ordinance, Recreation and Park Department, reflecting the addition of eight (8) positions; for fiscal year 1995-96; companion measure to File 101-95-13. (Supervisors Hsieh, Kaufman, Bierman)

File 102-95-4, Ordinance No. 281-95

Finally passed.

[Appropriation, Treasurer/Tax Collector]

Ordinance appropriating \$372,000, Treasurer/Tax Collector, from the General Fund Reserve, for services of other department (City Attorney) for costs of the revisions in the San Francisco Tax Code and the creation of four (4) positions in the City Attorney's Office for fiscal year 1995-96; placing a reserve on \$186,000. (Supervisors Hsieh, Kaufman, Bierman)

File 101-95-14, Ordinance No. 279-95

Finally passed.

[Annual Salary Ordinance, City Attorney]

Ordinance amending the Annual Salary Ordinance, City Attorney's Office, reflecting the addition of four (4) positions, for fiscal year 1995-96; companion measure to File 101-95-14. (Supervisors Hsieh, Kaufman, Bierman)

File 102-95-3, Ordinance No. 280-95

Finally passed.

[Lease, Golden Gate Park Stables, Inc.]

Ordinance approving a fifteen (15) year lease between the City and County and Golden Gate Park Stables, Inc., which provides for the operation of horse stables in Golden Gate Park. (Recreation and Park Department)

File 65-95-6, Ordinance No. 272-95

(Fiscal Impact.)

Finally passed.

[Fire Department Fees]

Ordinance amending Fire Code, to increase the fees for reinspection of violations, service fees, high-rise inspection fees, fees for review of plans submitted with building permit applications and for inspection of building construction. (Fire Commission)

File 117-95-1, Ordinance No. 283-95

(Fiscal Impact.)

(Amends Sections 3.104, 4.204, 4.207 and 4.208.)

Finally passed.

Recommendations of Government Efficiency and Labor Committee

Adopted

[Gift Acceptance, SafeAmerica Foundation]

Resolution authorizing the Department of Public Health, Central Administration, Emergency Medical Services Agency, to accept and expend a gift valued at \$16,000, from SafeAmerica Foundation to provide child car seats to the residents of San Francisco. (Supervisor Alioto)

File 38-95-6, Resolution No. 675-95

Adopted.

[Gift Acceptance, Recreation and Park Department]

Resolution accepting four (4) gifts valued at \$86,213.98, for use by the Recreation and Park Department. (Recreation and Park Department)

File 38-95-7, Resolution No. 676-95

Adopted.

[SDI Coverage, 2118 Director, Medical Records]

Resolution authorizing enrollment of classification(s) 2118 Director, Medical Records in the State Disability Insurance Program. (Department of Human Resources)

File 89-95-5, Resolution No. 680-95

Adopted.

[Federal Grant, Gender Equity Education Program]

Resolution authorizing the Commission on the Status of Women to apply for funds available from the United States Department of Education Women's Educational Equity Act (WEEA) Program for a gender equity education program implementation grant. (Supervisors Alioto, Shelley, Teng, Hallinan, Ammiano)

File 242-95-3, Resolution No. 687-95

Adopted.

The foregoing items on the Consent Calendar were acted upon by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Kaufman, Kennedy, Migden, Shelley, Teng - 9.

Absent: Supervisors Hsieh, Leal - 2.

#### REGULAR CALENDAR

#### UNFINISHED BUSINESS

#### From Committee of the Whole Without Recommendation

Finally Passed

[Amending Juvenile Curfew Ordinance]

Ordinance amending Police Code, to change the applicable age, exceptions, enforcement procedures of the Juvenile Curfew and to create an Oversight Committee; providing for a sunset clause. (Mayor)

File 121-95-4, Ordinance No. 284-95

(Amends Section 539.)

Finally passed by the following vote:

Ayes: Supervisors Hallinan, Kaufman, Kennedy, Migden, Shelley, Teng - 6.

Noes: Supervisors Alioto, Ammiano, Bierman - 3.

Absent: Supervisors Hsieh, Leal - 2.

#### NEW BUSINESS

#### Recommendations of Government Efficiency and Labor Committee

Passed for Second Reading

[Amendment to MOU, Local 21]

Ordinance implementing the provisions of an amendment to the Memorandum of Understanding between the International Federation of Professional and Technical Engineers, AFL-CIO, Local 21 and the City and County. (Supervisor Alioto)

File 93-95-35.1, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Kaufman, Kennedy, Migden, Shelley, Teng - 9.

Absent: Supervisors Hsieh, Leal - 2.

[Compensation, Municipal Court, FY 1995-96]

Ordinance setting schedules of compensation and other economic benefits for management personnel employed by Municipal Court for the City and County, for fiscal year 1995-96. (Municipal Court)

File 106-95-9, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Kaufman, Kennedy, Migden, Shelley, Teng - 9.

Absent: Supervisors Hsieh, Leal - 2.

[Compensation, Municipal Court, FY 1995-96]

Ordinance setting schedules of compensation and other economic benefits for non-management personnel employed by Municipal Court for the City and County, for fiscal year 1995-96. (Municipal Court)

File 106-95-10, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Kaufman, Kennedy, Migden, Shelley, Teng - 9.

Absent: Supervisors Hsieh, Leal - 2.

[Regulating Gun Dealers and Sale of Ammunition]

Ordinance amending Police Code, to provide age restrictions for the sale, lease or other transfer of firearms, firearm ammunition, or firearm ammunition components, and to require gun dealers to post notices of such age restrictions. (Supervisors Hallinan, Alioto, Shelley, Bierman)

File 121-95-5, Ordinance No.

(Amends Sections 613 and 613.10.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Kaufman, Kennedy, Migden, Shelley, Teng - 9.

Absent: Supervisors Hsieh, Leal - 2.

In connection with the above item, Supervisors Shelley, Bierman requested to be added as co-sponsors.

#### Adopted

[Prop J Contract, Court Management System]

Resolution concurring with the Controller's certification that services of the Court Management System Coordinator can be practically performed by private contractor for lower cost than similar work services performed by City and County employees. (Municipal Court)

File 25-95-20, Resolution No. 670-95

(Fiscal Impact.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Kaufman, Kennedy, Migden, Shelley, Teng - 9.

Absent: Supervisors Hsieh, Leal - 2.

[Prop J Contract, Parking Management Services]

Resolution approving the Controller's certification that parking management services for San Francisco International Airport can practically be performed by private contractor at a lower cost for the year commencing July 1, 1995 than if work were performed by City employees at budgeted levels. (Airport)

File 25-95-22, Resolution No. 672-95

(Fiscal Impact.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Kaufman, Kennedy, Migden, Shelley, Teng - 9.

Absent: Supervisors Hsieh, Leal - 2.

[Prop J Contract, Paratransit Services]

Resolution finding that it is economical for the Public Transportation Commission to contract for paratransit services in accordance with Charter Section 8.300-1. (Public Transportation Commission)

File 25-95-23, Resolution No. 673-95

(Fiscal Impact.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Kaufman, Kennedy, Migden, Shelley, Teng - 9.

Absent: Supervisors Hsieh, Leal - 2.

[Federal Grant, Airport Improvement Program]

Resolution authorizing Airports Commission to file application, and accept and expend grant of \$23,900,000 from Federal Aviation Administration for assistance in improvements at the Airport (A.I.P. No. 11); waiving indirect cost. (Airports Commission)

File 27-95-13, Resolution No. 674-95

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Kaufman, Kennedy, Migden, Shelley, Teng - 9.

Absent: Supervisors Hsieh, Leal - 2.

[Noise Easement, South S.F. School District]

Resolution authorizing the final payment for noise easement to the South San Francisco Unified School District - \$551,419.30. (Real Estate Department)

File 82-95-2, Resolution No. 678-95

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Kaufman, Kennedy, Migden, Shelley, Teng - 9.

Absent: Supervisors Hsieh, Leal - 2.

[Noise Easement, Millbrae School District]

Resolution authorizing the final payment for a noise easement to the Millbrae School District - \$138,199.35. (Real Estate Department)

File 82-95-3, Resolution No. 679-95

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Kaufman, Kennedy, Migden, Shelley, Teng - 9.

Absent: Supervisors Hsieh, Leal - 2.

Appointment of President Pro Tempore

At the request of the President, Supervisor Migden assumed the Chair.

[Grant, Major Narcotic Vendors Prosecution Program]

Resolution authorizing the District Attorney to retroactively apply for, accept, and expend funds in the amount of \$135,501 made available through the Office of Criminal Justice Planning for a project entitled "San Francisco District Attorney's Office Major Narcotic Vendors Prosecution Program", for the twelve month period July 1, 1995 through June 30, 1996. (Supervisor Alioto)

File 138-95-5, Resolution No. 682-95

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Kaufman, Kennedy, Migden, Shelley, Teng - 9.

Absent: Supervisors Hsieh, Leal - 2.

[Grant, "Red Light Running" Public Awareness]

Resolution authorizing the Department of Public Health, Central Administration, to apply for retroactively, and accept and expend a grant of \$27,683, which includes indirect costs in the amount of



\$2,766 based on 11.1 percent of total expenditures from the Federal Highway Administration, for "Red Light Running" Public Awareness Campaign for the residents of San Francisco; providing for ratification of action previously taken. (Supervisors Leal, Teng)

File 146-95-9, Resolution No. 683-95

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Kaufman, Kennedy, Migden, Shelley, Teng - 9.

Absent: Supervisors Hsieh, Leal - 2.

[Placement of Female Juveniles]

Resolution authorizing the Chief Probation Officer to renew contract for the 1995-96 contract year between the City and County of San Francisco, Juvenile Probation Department, and the County of Santa Clara, Santa Clara County Probation Ranches, to provide for the placement of female juveniles. (Juvenile Probation Department)

File 172-95-33, Resolution No. 684-95

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Kaufman, Kennedy, Migden, Shelley, Teng - 9.

Absent: Supervisors Hsieh, Leal - 2.

[Diagnostic Treatment Services, Juvenile Ward]

Resolution authorizing the Chief Probation Officer of the Juvenile Probation Department to renew a contract with California Youth Authority for diagnostic and treatment services and custody of a juvenile ward of the Court from the County of San Francisco not to exceed 90 days; providing for ratification of action previously taken. (Juvenile Probation Department)

File 172-95-34, Resolution No. 685-95

(Fiscal Impact.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Kaufman, Kennedy, Migden, Shelley, Teng - 9.

Absent: Supervisors Hsieh, Leal - 2.

[MOU, SFDSS and State Department of Social Services]

Resolution authorizing the Department of Social Services (SFDSS) to retroactively enter into a Memorandum of Understanding with the California State Department of Social Services (SDSS), Statewide Automated Welfare System (SAWS) Branch, for the loaning of an employee to serve in the capacity of Associate Information Systems Analyst for a two-year period, beginning March 1, 1995 through February 28, 1997. (Department of Social Services)

File 172-95-35, Resolution No. 686-95

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Kaufman, Kennedy, Migden, Shelley, Teng - 9.

Absent: Supervisors Hsieh, Leal - 2.

[Apostleship of the Sea Ministry]

Resolution urging Archbishop John Quinn not to close the Apostleship of the Sea which has been a haven for merchant seamen, a gathering place for organized labor for over fifty years; provides substance abuse services for seamen, offers a meeting place for various twelve (12) step programs, and is utilized by the Police Department. (Supervisors Hallinan, Alioto, Teng, Ammiano, Bierman)

File 254-95-1, Resolution No. 693-95

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Kaufman, Migden, Shelley, Teng - 8.

Absent: Supervisors Hsieh, Kennedy, Leal - 3.

In connection with the above item, Supervisor Bierman requested to be added as co-sponsor.

From Government Efficiency and Labor Committee  
Without Recommendation

Adopted

[Prop J Contract, Janitorial Services, 1660 Mission]

Resolution concurring with the Controller's certification that janitorial services for 1660 Mission Street can be practically performed by private contractor for lower cost than similar work services performed by City and County employees. (Real Estate Department)

File 25-95-12, Resolution No. 669-95

(Fiscal Impact.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Kaufman, Migden, Shelley, Teng - 6.

Noes: Supervisors Bierman, Hallinan - 2.

Absent: Supervisors Hsieh, Kennedy, Leal - 3.

[Prop J Contract, Security Services - Central Shops]

Resolution concurring with the Controller's certification that security services at Central Shops can be practically performed by private contractor for lower cost than similar services performed by City and County employees. (Purchasing Department)

File 25-95-21, Resolution No. 671-95

(Fiscal Impact.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Kaufman, Migden, Shelley, Teng - 6.

Noes: Supervisors Hallinan, Kennedy - 2.

Absent: Supervisors Ammiano, Hsieh, Leal - 3.

Recommendations of Housing and Land Use Committee

Passed for Second Reading

[Sidewalk Width Regulations, Castro Street]

Ordinance amending Ordinance No. 1061 entitled "Regulating the Width of Sidewalks" by adding thereto Section No. 1518 changing official widths of sidewalks on Castro Street Bus Bulbs Project as shown on the Department of Public Works Drawings labeled Q-20-245 and Q-20-246; and making findings pursuant to Planning Code Section 101.1. (Department of Public Works)

File 34-95-1, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Bierman, Hallinan, Kaufman, Kennedy, Migden, Shelley, Teng - 8.

Absent: Supervisors Ammiano, Hsieh, Leal - 3.

[Residential Rent Stabilization Fee]

Ordinance amending Administrative Code, to provide for collecting the Residential Rent Stabilization and Arbitration Fee on property tax bills. (Residential Rent Stabilization and Arbitration Board)

File 97-95-36, Ordinance No.

(Amends Section 37A.4.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Bierman, Hallinan, Kaufman, Kennedy, Migden, Shelley, Teng - 8.

Absent: Supervisors Ammiano, Hsieh, Leal - 3.

[Centralized Parking Meter]

Ordinance amending Traffic Code, to provide for the use of a centralized parking meter in municipal off-street lots controlled by parking meters; effective July 31, 1995. (Department of Parking and Traffic)

File 124-95-3, Ordinance No.

(Amends Section 32.10.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Bierman, Hallinan, Kaufman, Kennedy, Migden, Shelley, Teng - 8.

Absent: Supervisors Ammiano, Hsieh, Leal - 3.

Adopted

[Rent Control, Business Improvement District]

Resolution urging the Mayor to urge the Residential Rent and Arbitration Board to promulgate rules and regulations that would prohibit the pass-through of assessments collected through a business improvement district to low income residential tenants. (Supervisors Kaufman, Teng)

File 109-95-4, Resolution No. 681-95

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Hallinan, Kaufman, Kennedy, Migden, Shelley, Teng - 8.

Absent: Supervisors Ammiano, Hsieh, Leal - 3.

[Liquor License at 17 Kearny Street]

Resolution determining that the issuance of an alcoholic beverage control license to Jay Chapman for Cheaper, The Customer Company will serve the convenience and necessity of the City and County, in accordance with Section 23958.4 of the California Business and Professions Code. (Housing and Land Use Committee)

File 223-95-10, Resolution No. 689-95

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Hallinan, Kaufman, Kennedy, Migden, Shelley, Teng - 8.

Absent: Supervisors Ammiano, Hsieh, Leal - 3.

[Liquor License at 1573 Powell Street]

Resolution determining that transfer of liquor license from 5000 Mission Street to 1573 Powell Street, to Saif Ataya, will serve the convenience and necessity of the people of the City and County, in accordance with Section 23958.4 of the California Business and Professions Code. (Housing and Land Use Committee)

File 223-95-11, Resolution No. 690-95

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Hallinan, Kaufman, Kennedy, Migden, Shelley, Teng - 8.

Absent: Supervisors Ammiano, Hsieh, Leal - 3.

[Liquor License, Payless Drug Store #4345]

Resolution determining that the issuance of an alcoholic beverage control license for Payless Drug Store #4345, 3975 Alemany Boulevard, will serve the convenience and necessity of the City and County, in accordance with Section 23958.4 of the California Business and Professions Code. (Housing and Land Use Committee)

File 223-95-12, Resolution No. 691-95

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Hallinan, Kaufman, Kennedy, Migden, Shelley, Teng - 8.

Absent: Supervisors Ammiano, Hsieh, Leal - 3.

[Liquor License Transfer, Fair Trade Grocery]  
Resolution determining that the transfer of an alcoholic beverage control license from 464 Broadway Street to 460 Broadway Street, to Kenneth Jeong for Fair Trade Grocery, will serve the convenience and necessity of the people of the City and County, in accordance with Section 23958.4 of the California Business and Professions Code.  
(Housing and Land Use Committee)

File 223-95-15, Resolution No. 692-95

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Hallinan, Kaufman, Kennedy, Migden, Shelley, Teng - 8.

Absent: Supervisors Ammiano, Hsieh, Leal - 3.

The President resumed the Chair.

#### PUBLIC COMMENT

The privilege of the floor was granted to the following persons:

Jean Harris, sexual harassment case;  
Shelley Salieri, handicapped access, carpets, bathroom door;  
Wayne Sherman, election category, "none of the above";  
Rajah;  
male speaker, water quality;  
Leboriae P. Smoore, police suspension;  
Ben Hom, stock exchange tax;  
Diane Hamilton, Aaron Williams case;  
male speaker, mandatory direct rent payment program.

There being no one else present wishing to speak, the President declared the public comment portion of the meeting closed.

#### FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures were introduced at a prior meeting of the Board with action requested at this meeting. Any Supervisor may require these measures to go to committee unless a motion to suspend the rules is adopted by eight votes (or a unanimous vote if only six or seven members are present). An "aye" vote is (a) a vote in favor of suspending the rule requiring reference to committee, and (b) a vote in favor of adoption of the measures. Eight votes (or a unanimous vote if only six or seven members are present) is required.

#### Severed From For Adoption Without Committee Reference Calendar

Supervisor Bierman requested that the following measure be severed from the For Adoption Without Committee Reference Calendar and considered separately.

Adopted

[Homeowners and Earthquake Insurance]  
Resolution urging the State Legislature and the Department of Insurance to resolve the homeowners insurance crisis in California. (Supervisor Migden)

File 12-95-44, Resolution No. 667-95

(August 7, 1995 - Introduced in Board for consideration on August 14, 1995.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Hallinan, Kennedy, Migden, Shelley, Teng - 7.

Absent: Supervisors Bierman, Hsieh, Kaufman, Leal - 4.

Severed From For Adoption Without Committee Reference Calendar

Supervisor Kennedy requested that the following measure be severed from the For Adoption Without Committee Reference Calendar and considered separately.

Adopted as Amended

[Liquor License, Beyond Therapy, 340 Mason]  
Resolution determining that the issuance of a beer and wine license to ((Jim Miller)) Jerry Walker, dba Beyond Therapy, at the Mason Street Theater, will serve the convenience and necessity of the people of the City and County, in accordance with Section 23958.4 of the California Business and Professions Code and rescinding Resolution No. 542-95. (Supervisors Migden, Bierman)

File 223-95-5.1, Resolution No. 688-95

(August 7, 1995 - Introduced in Board for consideration on August 14, 1995.)

Supervisor Migden, seconded by Supervisor Bierman, moved to amend by replacing "Jim Miller" with "Jerry Walker" wherever it appears in the legislation.

Motion to amend adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Kennedy, Migden, Shelley, Teng - 8.

Absent: Supervisors Hsieh, Kaufman, Leal - 3.

Adopted as amended by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Kennedy, Migden, Shelley, Teng - 8.

Absent: Supervisors Hsieh, Kaufman, Leal - 3.

In connection with the above item, Supervisor Bierman requested to be added as co-sponsor.

The Board thereupon resumed its consideration of the following items on the For Adoption Without Committee Reference Calendar.

For Adoption Without Committee Reference Calendar

Adopted

[Commend "Potrero View"]  
Resolution calling attention to the observance of the 25th Anniversary of San Francisco's leading monthly neighborhood newspaper, the "Potrero View". (Supervisors Ammiano, Teng, Bierman, Kaufman)

File 4-95-18, Resolution No. 662-95

(August 7, 1995 - Introduced in Board for consideration on August 14, 1995.)

Adopted.

In connection with the above item, Supervisors Teng, Bierman, Kaufman requested to be added as co-sponsors.

[Commend Consenting Adult Law]  
Resolution honoring the 20th Anniversary of the Consenting Adult Bill becoming law. (Supervisors Migden, Leal, Bierman, Hallinan, Teng, Kaufman, Shelley)

File 6-95-75, Resolution No. 663-95

(August 7, 1995 - Introduced in Board for consideration on August 14, 1995.)

Adopted.

[Commend Juanita U. Pascual]  
Resolution commending Juanita U. Pascual and declaring August 26, 1995 to be Juanita Pascual Day. (Supervisors Teng, Kaufman)

File 6-95-77, Resolution No. 664-95

(August 7, 1995 - Introduced in Board for consideration on August 14, 1995.)

Adopted.

In connection with the above item, Supervisor Kaufman requested to be added as co-sponsor.

[Encouraging BART to Relocate to San Francisco]

Resolution encouraging the Bay Area Rapid Transit (BART) to relocate to San Francisco, where it would be a welcome addition to the San Francisco community. (Supervisors Hsieh, Bierman, Kaufman)

File 12-95-45, Resolution No. 668-95

(August 7, 1995 - Introduced in Board for consideration on August 14, 1995.)

Adopted.

[New Trial for Mumia Abu-Jamal]

Resolution urging the Mayor to ask the Pennsylvania Court of Common Pleas, the Pennsylvania Supreme Court and Governor Thomas Ridge for a stay of execution, a new trial, and a new trial judge in the case of prize-winning African-American journalist, Mumia Abu-Jamal. (Supervisors Bierman, Ammiano, Alioto, Hallinan, Kennedy, Leal, Migden, Teng)

File 13-95-24, Resolution No. 694-95

(August 7, 1995 - Introduced in Board for consideration on August 14, 1995.)

Adopted.

[Gift Acceptance, Billboard Space]

Resolution authorizing the Department of Public Health to accept and expend a gift valued at over \$15,000 from Patrick Media Group, Inc. to provide billboard space for use in the department's public service campaign for the residents of San Francisco. (Supervisors Hallinan, Teng)

File 38-95-8, Resolution No. 677-95

(August 7, 1995 - Introduced in Board for consideration on August 14, 1995.)

Adopted.

In connection with the above item, Supervisor Teng requested to be added as co-sponsor.

[Mandatory Direct Rent Payment Program]

Motion urging the Controller not to release the \$750,000 now on reserve intended for the implementation of the mandatory direct rent payment program until such time as the Government Efficiency and Labor Committee of the Board of Supervisors has held a hearing to consider the manner in which the mandatory direct rent payment program is to be implemented, said hearing to include the matter of the release by the Controller of funds for this program which were placed on reserve by the Board of Supervisors. (Supervisors Hallinan, Bierman)

File 107-95-1.3

(August 7, 1995 - Introduced in Board for consideration on August 14, 1995.)

Adopted.

In connection with the above item, Supervisor Bierman requested to be added as co-sponsor.

The foregoing items on the For Adoption Without Committee Reference Calendar were adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Kennedy, Migden, Shelley, Teng - 8.

Absent: Supervisors Hsieh, Kaufman, Leal - 3.

IMMEDIATE ADOPTION CALENDAR

These measures are being introduced at this meeting. A unanimous vote is required for adoption today. Any Supervisor may require any of these measures to go to committee.

Adopted

[Leaves of Absence]

Resolution granting leaves of absence to various city and county officers with permission to leave the state. (Clerk of the Board)

File 1-95-31, Resolution No. 647-95

(Tom Ammiano, member, Board of Supervisors, August 28 - September 4; Edwin M. Lee, Director, Human Rights Commission, September 13 - 18 and September 28 - October 3; Larry Mazzola, Member, Airports Commission, August 28 - 31; Frank O'Neill, Commissioner, Port of San Francisco, August 9 -12; Louise H. Renne, City Attorney, Office of City Attorney, July 28 - August 6; Anthony D. Ribera, Chief of Police, Police Department, August 17 - 20; Jane E. Rubin, Executive Director, Ethics Commission, September 1 - 4, 1995.)

Adopted.

[Grant-Federal]

Resolution authorizing the Department of Public Health, AIDS Office, to accept and expend retroactively \$88,145, which includes no indirect costs, from the Redevelopment Agency for housing opportunities for persons with AIDS (HOPWA) Services; providing for ratification of action previously taken and waiving indirect costs. (Supervisor Hallinan)

File 146-95-10, Resolution No. 656-95

Adopted.

The foregoing items on the Immediate Adoption Calendar were adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Kennedy, Migden, Shelley, Teng - 8.

Absent: Supervisors Hsieh, Kaufman, Leal - 3.

OFF-CALENDAR LEGISLATION

ROLL CALL FOR INTRODUCTION OF MEASURES AND COMMUNICATIONS  
NOT CONSIDERED OR REPORTED ON BY COMMITTEE

Referred to Board

[Proclaim Women's Equality Day]

Resolution declaring August 26, 1995 as Women's Equality Day in San Francisco. Supervisor Shelley presented. Referred to Board for Adoption Without Committee Reference Calendar August 21, 1995.

File 004-95-019.

[Commend Anniversary of 19th Amendment]

Resolution commemorating the 75th Anniversary of the 19th Amendment, granting women the right to vote. Supervisor Migden presented. Referred to Board for Adoption Without Committee Reference Calendar August 21, 1995.

File 006-95-078.

[Commend Jacqueline Kazarian]

Resolution commending the dedication and work of Jacqueline Papazian Kazarian in preserving and restoring the home of William Saroyan. Supervisor Shelley presented. Referred to Board for Adoption Without Committee Reference Calendar August 21, 1995.

File 006-95-079.

[Free Rides, Muni F-Line]

Resolution providing that the Board of Supervisors determines that there is a public need and necessity to provide free rides on the new, historic F-Line on September 1, 1995 for half a day. Supervisors Migden, Alioto, Ammiano, Bierman, Kaufman, Leal, Teng presented. Referred to Board for Adoption Without Committee Reference Calendar August 21, 1995.

File 007-95-007.

Referred to Committee

[Liability Insurance]

Resolution authorizing the City's assumption of damages due to earthquake in the contract for the seismic upgrade of War Memorial Opera House pursuant to Administrative Code Section 6.54. Supervisor Hallinan presented. Referred to Government Efficiency/Labor Committee.

File 172-95-036.

[Lincoln Park Pioneer Grave Site]  
Resolution authorizing the Medical Examiner to dispose of artifacts recovered from pioneer grave site at Lincoln Park. Supervisor Hallinan presented. Referred to Government Efficiency/Labor Committee.

File 257-95-001.

Requests for Hearings:

[Water Quality]  
Hearing to consider San Francisco's water quality and the management of its Water Department. Supervisor Migden presented. Referred to Health/Public Safety/Environment Committee with request it be considered at the October 5, 1995 meeting.

File 005-95-002.

[Cancer in Women, Other Health Concerns]  
Hearing to consider the incidence of cancer in women and related health concerns in Bayview Hunters Point. Supervisor Hallinan presented. Referred to Health/Public Safety/Environment Committee.

File 030-95-013.

[Jerry Garcia Square]  
Hearing to consider renaming the corners of Haight and Ashbury Streets "Jerry Garcia Square". Supervisor Alioto presented. Referred to Housing and Land Use Committee.

File 075-95-002.

Motions:

Referred to Board

[Ballot Argument, Proposition L]  
Motion authorizing ballot argument opposing Proposition L, an ordinance concerning juvenile curfew. Supervisor Leal presented. Referred to Board for Adoption Without Committee Reference Calendar August 21, 1995.

File 060-95-010.01.

[Ballot Argument, Proposition K]  
Motion authorizing opponent's ballot argument against Proposition K, an ordinance requiring study of alternative vehicles for delivery of city services. Supervisor Shelley presented. Referred to Board for Adoption Without Committee Reference Calendar August 21, 1995.

File 060-95-014.

[Ballot Argument, Proposition M]  
Motion authorizing opponent ballot argument against Proposition M, an ordinance concerning campaign contribution limits and finance reform. Supervisor Hallinan presented. Referred to Board for Adoption Without Committee Reference Calendar August 21, 1995.

File 060-95-015.

Introduced by the President at the Request of Departments

Ordinances Referred to Committee

File 036-95-005. [Zoning Map Amendment, 2475 Greenwich Street] Ordinance adopting changes in property use classification as an amendment to the Zoning Map of the City and County of San Francisco of property located at 2475 Greenwich Street, north side between Scott and Pierce Streets, a portion of Lot 15, Assessor's Block 513, from a "P" (Public Use, 40-X Height and Bulk) District to an "RH-2-40-X" (House, Two Family 40-Foot Height and Bulk) District and adopting findings pursuant to Section 101.1 of the Planning Code. (Department of City Planning) Referred to Housing and Land Use Committee.

File 045-95-033. [Settlement of Litigation, U.S.A. (DAVIS) v. CCSF] Ordinance authorizing settlement of litigation of U.S.A (Davis) v. City and County of San Francisco, by payment of \$1,404,894.90. (USDC, Northern California, Consolidated Cases Nos. C84-7089 MPH and C84-1100) (City Attorney) Referred to Government Efficiency/Labor Committee.

File 074-95-001. [Tax Rate Setting, CCSF, FY 1995-96] Ordinance providing revenue and levying taxes for City and County purposes for the fiscal year ending June 30, 1996. RO #95029 (Controller) Referred to Budget Committee with request it be considered at the September 5, 1995 Special Meeting.

File 074-95-002. [Tax Rate Setting, SFUSD, FY 1995-96] Ordinance providing revenue and levying taxes for San Francisco Unified School District purposes for the fiscal year ending June 30, 1996. RO #95030 (Controller) Referred to Budget Committee with request it be considered at the September 5, 1995 Special Meeting.



File 074-95-003. [Tax Rate Setting, SF Community College, FY 1995-96] Ordinance providing revenue and levying taxes for San Francisco Community College District purposes for the fiscal year ending June 30, 1996. RO #95031 (Controller) Referred to Budget Committee with request it be considered at the September 5, 1995 Special Meeting.

File 093-95-046.01. [Amend MOU, Local 200, SEAM] Ordinance amending Ordinance No. 233-95 to correct non-economic clerical errors and omissions to the provisions of the Memorandum of Understanding between the Transport Workers Union, Local 200, SEAM and the City and County of San Francisco for the period July 1, 1995 through June 30, 1998. (Department of Human Resources) Referred to Government Efficiency/Labor Committee.

File 101-95-002.01. [Amend Annual Appropriation Ordinance, FY 1995-96] Ordinance amending the Annual Appropriation Ordinance for fiscal year 1995-96, File No. 101-95-2, Ordinance No. 255-95, giving effect to revenue changes pursuant to Charter Section 6.08 and adjusting appropriations to meet the requirements of the Art Commission pursuant to Charter Section 6.400, and adjusting appropriations to meet the requirements of the Airport, as a pre-requisite to levy a tax pursuant to Charter Section 6.208. RO #95032 (Controller) Referred to Budget Committee with request it be considered at the September 5, 1995 Special Meeting.

#### Resolutions Referred to Committee

File 027-95-014. [Finding, Airport Rates and Charges] Resolution making a finding that the schedule of rates and charges for common use facilities established by the Airports Commission effective July 1, 1995 will be sufficient to pay for maintenance and operation expenses of the airport and will not require any tax subsidy; companion measure to File 27-95-14.1. (Airports Commission) Referred to Budget Committee.

File 027-95-014.01. [Airport Rates and Charges] Resolution approving changes to the schedule of rates and charges for common use facilities at San Francisco International Airport as established by the Airports Commission; companion measure to File 27-95-14. (Airports Commission) Referred to Budget Committee.

File 028-95-012. [Emergency Repair, Clay Street Sewer] Resolution authorizing the Director of the Department of Public Works to take necessary measures to protect the health, welfare and property of the citizens of San Francisco by performing the necessary work to replace structurally inadequate sewer in Clay Street between Grant Avenue and Stockton Street and between Mason and Taylor Streets - \$289,801. (Department of Public Works) Referred to Budget Committee.

File 028-95-013. [Emergency Repair, Grant Avenue Sewer] Resolution authorizing the Director of the Department of Public Works to take necessary measures to protect the health, welfare and property of the citizens of San Francisco by performing the necessary work to replace structurally inadequate sewer in Grant Avenue between Washington Street and Broadway - \$190,752. (Department of Public Works) Referred to Budget Committee.

File 028-95-014. [Emergency Repair, Turk Street Sewer] Resolution authorizing the Director of the Department of Public Works to take necessary measures to protect the health, welfare and property of the citizens of San Francisco by performing the necessary work to replace structurally inadequate sewer in Turk Street between Hyde Street and Larkin Street - \$388,550. (Department of Public Works) Referred to Budget Committee.

File 028-95-015. [Emergency Repair, Post Street Sewer] Resolution authorizing the Director of the Department of Public Works to take necessary measures to protect the health, welfare and property of the citizens of San Francisco by performing the necessary work to replace structurally inadequate sewer in Post Street between Gough Street and Octavia Street - \$117,915. (Department of Public Works) Referred to Budget Committee.

File 028-95-016. [Emergency Repair, Polk Street Sewer] Resolution authorizing the Director of the Department of Public Works to take necessary measures to protect the health, welfare and property of the citizens of San Francisco by performing the necessary work to replace structurally inadequate sewer in Polk Street between Washington Street and Jackson Street - \$73,017. (Department of Public Works) Referred to Budget Committee.

File 028-95-017. [Emergency Repair, Pacific Avenue Sewer] Resolution authorizing the Director of the Department of Public Works to take necessary measures to protect the health, welfare and property of the citizens of San Francisco by performing the necessary work to replace structurally inadequate sewer in Pacific Avenue between Battery Street and Sansome Street - \$72,070. (Department of Public Works) Referred to Budget Committee.

File 028-95-018. [Emergency Repair, Post Street Sewer] Resolution authorizing the Director of the Department of Public Works to take necessary measures to protect the health, welfare and property of the citizens of San Francisco by performing the necessary work to replace structurally inadequate sewer in Post Street between Polk Street and Van Ness Avenue - \$133,940. (Department of Public Works) Referred to Budget Committee.

File 028-95-019. [Emergency Repair, Sacramento Street Sewer] Resolution authorizing the Director of the Department of Public Works to take necessary measures to protect the health, welfare and property of the citizens of San Francisco by performing the necessary work to replace structurally inadequate sewer in Sacramento Street between Grant Avenue and Stockton Street - \$146,355. (Department of Public Works) Referred to Budget Committee.

File 064-95-006. [Lease of Property at 1380 Howard Street] Resolution authorizing a lease of real property at 1380 Howard Street, San Francisco, for the Department of Parking and Traffic Parking Citation Bureau and Hearing Officer Division. (Real Estate Department) Referred to Government Efficiency/Labor Committee.

File 146-95-011. [Grant, California Healthcare for Indigents Program] Resolution authorizing the Department of Public Health to apply for, accept, and expend a grant allocation of up to \$8,971,844 for fiscal year 1995-96 funding from State Department of Health Services for California Healthcare for Indigents Program (CHIP) funds for medical services to indigent persons, professional services, medical services contracts, materials and supplies, facilities rental, personal services, and indirect costs in the amount of \$61,442, based on 12.1 percent of administrative and fiscal intermediary costs. (Department of Public Health) Referred to Government Efficiency/Labor Committee.

#### Requests Granted

There being no objection, the Board directed the Clerk to comply with the following requests:

By Supervisor Kennedy, that City Attorney provide opinion regarding the constitutionality and legality of the Redevelopment Agency's insistence on the California Creole Cafe signing a settlement agreement that included a stipulated judgment which required the cafe to give up any right to exercise a legal defense in the case of a default on the loan which is \$641.47 per month for 60 months.

By Supervisor Kennedy, that letter of inquiry be sent to Redevelopment Agency to determine the number of instances the Agency has required a for profit business to sign a settlement agreement with a stipulated judgment which inhibited the business' ability to exercise its rights to defend itself in case of default and requesting copies of the loan documents and lease agreements for the California Creole Cafe and Cala Foods Company be provided.

#### Motions Adopted

Motion that the Board adjourn its meeting this date out of respect to the memory of the following deceased:

F. Everett Cahill (By the entire Board)  
Jerry Garcia (By the entire Board)  
Robert Mark Miller (Supervisor Migden)  
John "Jack" Kolb (Supervisor Migden)  
Mary J. Libra (Supervisor Bierman)

File 2-95-31

Unanimously adopted by a rising vote.

#### ADJOURNMENT

There being no further business, the Board at the hour of 3:27 p.m. adjourned.

John L. Taylor, Clerk

N.B. This Journal of Proceedings sets forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on October 2, 1995.

I, John L. Taylor, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Journal of Proceedings of said Board on the date stated and was approved as recited.

John L. Taylor  
Clerk of the Board of Supervisors

Monday, August 21, 1995

# Journal of Proceedings

*The Minutes of the*

## Board of Supervisors

City and County of San Francisco

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Number 32



JOURNAL OF PROCEEDINGS

BOARD OF SUPERVISORS

Monday, August 21, 1995 - 2:00 p.m.

The Board of Supervisors of the City and County of San Francisco met in regular session on the above date.

CALLING THE ROLL

In the absence of President Kevin Shelley, the meeting was called to order at 2:04 p.m. by the Clerk. On call of the roll, the following Supervisors were noted present:

Supervisors Alioto, Ammiano, Bierman, Hallinan, Kaufman, Kennedy, Migden - 7.

Noted absent at first roll call:

Supervisors Hsieh, Leal, Shelley, Teng - 4.

Quorum present.

Supervisor Hsieh excused, on official leave of absence.

Supervisor Leal was noted present at 2:19 p.m.

Supervisor Shelley excused, on official leave of absence.

Supervisor Teng excused, on official leave of absence.

Election of President Pro Tempore

Following roll call of attendance by the Clerk, Supervisor Migden, seconded by Supervisor Kennedy, moved that Supervisor Bierman be appointed President Pro Tempore.

Motion adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Kaufman, Kennedy, Migden - 7.

Absent: Supervisors Hsieh, Leal, Shelley, Teng - 4.

APPROVAL OF JOURNALS

There being no errors, corrections or omissions, Supervisor Migden, seconded by Supervisor Kennedy, moved that the Journals of Proceedings for Monday, June 19 and Wednesday, June 21, 1995, be approved.

Motion carried by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Kaufman, Kennedy, Migden - 7.

Absent: Supervisors Hsieh, Leal, Shelley, Teng - 4.

SPECIAL ORDER 2:00 P.M.

Recommendations of Rules Committee

Adopted

[Ballot Argument]

Motion authorizing proponent's ballot argument in favor of Proposition A, a bond issue concerning City Hall. (Supervisor Hsieh)

File 60-95-5.3

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Kaufman, Kennedy, Migden - 7.

Absent: Supervisors Hsieh, Leal, Shelley, Teng - 4.

[Ballot Argument]

Motion authorizing proponent's ballot argument in favor of Proposition B, a bond issue concerning underground storage tanks. (Supervisor Hsieh)

File 60-95-5.2

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Kaufman, Kennedy, Migden - 7.

Absent: Supervisors Hsieh, Leal, Shelley, Teng - 4.

[Ballot Argument]

Motion authorizing proponent's ballot argument in favor of Proposition C, a bond issue concerning Steinhart Aquarium. (Supervisors Shelley, Kaufman)

File 60-95-5.1

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Kaufman, Kennedy, Migden - 7.

Absent: Supervisors Hsieh, Leal, Shelley, Teng - 4.

Adopted as Amended

[Ballot Argument]

Motion authorizing proponent's ballot argument in favor of Proposition D, a charter amendment concerning exempting certain contracts from prevailing wage requirements. (Supervisors Hallinan, Leal, Bierman, Alioto, Kennedy)

File 253-95-2

Supervisor Hallinan, seconded by Supervisor Kennedy, moved to amend ballot argument page two, line 5, by deleting "expand" and inserting "continue".

Motion to amend adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Kaufman, Kennedy, Migden - 7.

Absent: Supervisors Hsieh, Leal, Shelley, Teng - 4.

Adopted as amended by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Kaufman, Kennedy, Migden - 7.

Absent: Supervisors Hsieh, Leal, Shelley, Teng - 4.

Adopted

[Ballot Argument]

Motion authorizing proponent's ballot argument in favor of Proposition E, a charter amendment repealing the 1932 Charter and enacting a new Charter. (Supervisors Kaufman, Leal, Teng, Kennedy)

File 281-94-2

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Kaufman, Kennedy, Migden - 7.

Absent: Supervisors Hsieh, Leal, Shelley, Teng - 4.

[Ballot Argument]

Motion authorizing proponent's ballot argument in favor of Proposition F, a charter amendment concerning establishing a youth commission. (Supervisors Alioto, Kennedy, Bierman, Ammiano, Teng, Hallinan, Shelley)

File 235-95-2

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Kaufman, Kennedy, Migden - 7.

Absent: Supervisors Hsieh, Leal, Shelley, Teng - 4.

[Ballot Argument]

Motion authorizing proponent's ballot argument in favor of Proposition G, a charter amendment concerning the office of citizen complaints. (Supervisor Ammiano)

File 243-95-2

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Kaufman, Kennedy, Migden - 7.

Absent: Supervisors Hsieh, Leal, Shelley, Teng - 4.

Adopted as Amended

[Ballot Argument]

Motion authorizing proponent's ballot argument in favor of Proposition I, an ordinance concerning taxicab regulations. (Supervisors Bierman, Ammiano)

File 60-95-6.1

Supervisor Ammiano, seconded by Supervisor Hallinan, moved to amend page one, line 9, after "permits" by deleting ". Peak-time permits would" and insert "to"; amend page one, line 20, by deleting "decent" and inserting "fair".

Motion to amend adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Kaufman, Kennedy, Migden - 7.

Absent: Supervisors Hsieh, Leal, Shelley, Teng - 4.

Adopted as amended by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Kaufman, Kennedy, Migden - 7.

Absent: Supervisors Hsieh, Leal, Shelley, Teng - 4.

[Ballot Argument]

Motion authorizing proponent's ballot argument in favor of Proposition N, Ordinance No. 89-95 concerning campaign finance reform. (Supervisor Hallinan)

File 60-95-4.1

Supervisor Hallinan, seconded by Supervisor Ammiano, moved to amend page one, line four, after "money", by deleting "to run for office".

Motion to amend adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Kaufman, Kennedy, Migden - 7.

Absent: Supervisors Hsieh, Leal, Shelley, Teng - 4.

Adopted as amended by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Kaufman, Kennedy, Migden - 7.

Absent: Supervisors Hsieh, Leal, Shelley, Teng - 4.

[Ballot Argument]

Motion authorizing opponent's ballot argument against Proposition O, an initiative ordinance attempting to repeal the law that renamed Army Street to Cesar Chavez Street. (Supervisor Leal)

File 60-95-9

Supervisor Leal, seconded by Supervisor Ammiano, moved to amend page one, line two, after "labor," by inserting "the San Francisco Democratic Party" and amend page two, line four, after "Milk" by adding "Lesbian/Gay/Bisexual".

Motion to amend adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Kaufman, Kennedy, Leal, Migden - 8.

Absent: Supervisors Hsieh, Shelley, Teng - 3.

Adopted as amended by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Kaufman, Leal, Kennedy, Migden - 8.

Absent: Supervisors Hsieh, Shelley, Teng - 3.

PUBLIC COMMENT

An opportunity for public comment, if any, on the wording of the following four items.

The President inquired if there was anyone present who wished to testify.

There being no response, the President declared the public comment portion on the following four items closed.

Adopted

[Ballot Argument]

Motion authorizing opponent's ballot argument in opposition to Proposition H, an initiative charter amendment concerning the Parking and Traffic Department. (Supervisor Ammiano)

File 60-95-11.1

(August 16, 1995 - Introduced for immediate adoption on August 21, 1995.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Kaufman, Leal, Kennedy, Migden - 8.

Absent: Supervisors Hsieh, Shelley, Teng - 3.

[Ballot Argument]

Motion authorizing opponent's ballot argument against Proposition K, an ordinance to require study of alternative vehicles for delivery of city services. (Supervisor Shelley)

File 60-95-14

(August 14, 1995 - Introduced for Adoption Without Committee Reference August 21, 1995.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Kaufman, Leal, Kennedy, Migden - 8.

Absent: Supervisors Hsieh, Shelley, Teng - 3.

Adopted as Amended

[Ballot Argument]

Motion authorizing opponent's ballot argument opposing Proposition L, an ordinance concerning juvenile curfew. (Supervisor Leal)

File 60-95-10.1

(August 14, 1995 - Introduced for Adoption Without Committee Reference August 21, 1995.)



Supervisor Leal, seconded by Supervisor Hallinan, moved an amendment of the whole ballot argument.

Amendment of the whole adopted by the following vote:

Ayes: Supervisors Hallinan, Kaufman, Kennedy, Leal, Migden - 5.

Noes: Supervisors Alioto, Ammiano, Bierman - 3.

Absent: Supervisors Hsieh, Shelley, Teng - 3.

Supervisor Alioto, seconded by Supervisor Leal, moved to amend by deleting the last paragraph beginning with "The City's new" and ending with "modified".

Motion to amend adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Kaufman, Leal, Kennedy, Migden - 8.

Absent: Supervisors Hsieh, Shelley, Teng - 3.

Adopted as amended by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Kaufman, Leal, Kennedy, Migden - 8.

Absent: Supervisors Hsieh, Shelley, Teng - 3.

[Ballot Argument]

Motion authorizing opponent's ballot argument against Proposition M, an ordinance concerning campaign contribution limits and finance reform. (Supervisor Hallinan)

File 60-95-15

(August 14, 1995 - Introduced for Adoption Without Committee Reference August 21, 1995.)

Supervisor Hallinan, seconded by Supervisor Kennedy, moved to amend page one, lines 9 and 10, by deleting the entire sentence beginning with "Unlike the initiative" and ending with "officials."

Motion to amend adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Kaufman, Leal, Kennedy, Migden - 8.

Absent: Supervisors Hsieh, Shelley, Teng - 3.

Adopted as amended by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Kaufman, Leal, Kennedy, Migden - 8.

Absent: Supervisors Hsieh, Shelley, Teng - 3.

CONSENT CALENDAR

Finally Passed

[Amendment to MOU, Local 21]

Ordinance implementing the provisions of an amendment to the Memorandum of Understanding between the International Federation of Professional and Technical Engineers, AFL-CIO, Local 21 and the City and County. (Supervisor Alioto)

File 93-95-35.1, Ordinance No. 286-95

Finally passed.

[Compensation, Municipal Court, FY 1995-96]

Ordinance setting schedules of compensation and other economic benefits for management personnel employed by Municipal Court for the City and County, for fiscal year 1995-96. (Municipal Court)

File 106-95-9, Ordinance No. 288-95

Finally passed.

[Compensation, Municipal Court, FY 1995-96]

Ordinance setting schedules of compensation and other economic benefits for non-management personnel employed by Municipal Court for the City and County, for fiscal year 1995-96. (Municipal Court)

File 106-95-10, Ordinance No. 289-95

Finally passed.

[Regulating Gun Dealers and Sale of Ammunition]

Ordinance amending Police Code, to provide age restrictions for the sale, lease or other transfer of firearms, firearm ammunition, or firearm ammunition components, and to require gun dealers to post notices of such age restrictions. (Supervisors Hallinan, Alioto, Shelley, Bierman)

File 121-95-5, Ordinance No. 290-95

(Amends Sections 613 and 613.10.)

Finally passed.

#### Recommendations of Housing and Land Use Committee

Finally Passed

[Sidewalk Width Regulations, Castro Street]

Ordinance amending Ordinance No. 1061 entitled "Regulating the Width of Sidewalks" by adding thereto Section No. 1518 changing official widths of sidewalks on Castro Street Bus Bulbs Project as shown on the Department of Public Works Drawings labeled Q-20-245 and Q-20-246; making findings pursuant to Planning Code Section 101.1. (Department of Public Works)

File 34-95-1, Ordinance No. 285-95

Finally passed.

[Residential Rent Stabilization and Arbitration Fee]

Ordinance amending Administrative Code, to provide for collecting the Residential Rent Stabilization and Arbitration Fee on property tax bills. (Residential Rent Stabilization and Arbitration Board)

File 97-95-36, Ordinance No. 287-95

(Amends Section 37A.4.)

Finally passed.

[Centralized Parking Meter]

Ordinance amending Traffic Code, to provide for the use of a centralized parking meter in municipal off-street lots controlled by parking meters; effective July 31, 1995. (Department of Parking and Traffic)

File 124-95-3, Ordinance No. 291-95

(Amends Section 32.10.)

Finally passed.

The foregoing items on the Consent Calendar were acted upon by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Kaufman, Kennedy, Leal, Migden - 8.

Absent: Supervisors Hsieh, Shelley, Teng - 3.

#### REGULAR CALENDAR

UNFINISHED BUSINESS

Recommendation of Budget and Health, Public Safety  
and Environment Committee

Consideration Continued

[General Assistance Property Levels]

Ordinance amending Administrative Code, to increase allowable personal property under the General Assistance Program to \$500. (Supervisors Alioto, Bierman, Hallinan, Teng, Ammiano)

File 97-94-41, Ordinance No.

(Fiscal Impact.)

(Amends Section 20.56.10.)

(June 19, 1995 - Consideration continued to August 21, 1995.)

Supervisor Alioto, seconded by Supervisor Ammiano, moved to continue consideration to September 18, 1995.

Motion to continue adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Kaufman, Kennedy, Leal, Migden - 8.

Absent: Supervisors Hsieh, Shelley, Teng - 3.

In connection with the above item, Supervisor Ammiano requested to be added as co-sponsor.

NEW BUSINESS

Recommendations of Rules Committee

Passed for Second Reading

[Sunshine Ordinance Amendment]

Ordinance amending Administrative Code, to require policy body agendas to refer to rights provided in the Sunshine Ordinance; to amend the time requirements for seeking sign language interpreters at the meetings of policy bodies; and to authorize the director of Public Health to withhold from public disclosure payment rates in managed health care contracts if the director makes a certain determination, and providing a sunset clause for the exemption. (Supervisors Shelley, Alioto)

File 97-95-40, Ordinance No.

(Amends Sections 67.7, 67.15 and 67.24.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Kaufman, Kennedy, Leal, Migden - 8.

Absent: Supervisors Hsieh, Shelley, Teng - 3.

In connection with the above item, Supervisor Alioto requested to be added as co-sponsor.

Adopted

[BART to the Airport]

Resolution urging the Mayor to request the Airports Commission to rescind its approval of Plan X and instead approve BART's Plan B. (Supervisors Shelley, Hallinan)

File 27-95-10.2, Resolution No. 716-95

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Hallinan, Kaufman, Kennedy, Leal, Migden - 7.

Noes: Supervisor Bierman - 1.

Absent: Supervisors Hsieh, Shelley, Teng - 3.

In connection with the above item, Supervisor Hallinan requested to be added as co-sponsor.

Conference with Labor Negotiator - Collective Bargaining

Adopted

Motion that the Board of Supervisors convene in closed session with Wendell Pryor, Director of Human Resources, with members of his staff and Vickie Clayton, Deputy City Attorney for the purpose of reviewing the City's position and instructing its designated representatives concerning collective bargaining negotiations involving all forms of compensation (including wages, hours, benefits, and working conditions), with Police, Fire, and Municipal Railway employee organizations, as authorized by California Government Code Section 54957.6.

Supervisor Kennedy, seconded by Supervisor Kaufman, moved adoption.

Motion adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Kaufman, Kennedy, Leal, Migden - 8.

Absent: Supervisors Hsieh, Shelley, Teng - 3.

Recess

The Board recessed at the hour of 2:45 p.m. to convene in closed session pursuant to above motion.

Reconvening of the Board

The Board, at the hour of 3:26 p.m. reconvened.

Calling the Roll

On call of the roll, the following Supervisors were noted present:

Supervisors Alioto, Ammiano, Bierman, Hallinan, Kaufman, Kennedy, Leal, Migden - 8.

Noted Absent: Supervisors Hsieh, Shelley, Teng - 3.

Quorum present.

Supervisor Hsieh excused. (See supra.)

Supervisor Shelley excused. (See supra.)

Supervisor Teng excused. (See supra.)

Report on Closed Session

Deputy City Attorney Ted Lahey reported that the Board had met in closed session with Wendell Pryor, Director of Human Resources, with members of his staff and Vickie Clayton, Deputy City Attorney for the purpose of reviewing the City's position and instructing its designated representatives concerning collective bargaining negotiations involving all forms of compensation (including wages, hours, benefits, and working conditions), with Police, Fire, and Municipal Railway employee organizations, as authorized by California Government Code Section 54957.6. The meeting was informational only and no action was taken by the Board.

Adopted

Motion that the Board of Supervisors finds that it is in the best interest of the public and elects not to disclose its closed session deliberations in pending employee relations negotiations.

Supervisor Kennedy, seconded by Supervisor Leal, moved adoption.

Adopted by the following vote:

Supervisors Supervisors Alioto, Ammiano, Bierman, Hallinan, Kaufman, Kennedy, Leal, Migden - 8.

Absent: Supervisors Hsieh, Shelley, Teng - 3.

SPECIAL ORDER 3:00 P.M.

Hearing Held

[Public Hearing]

Hearing of persons interested in or objecting to report of delinquent charges (Assessment of Costs) for code enforcement cases, submitted by the Director of Building Inspection for services rendered by said department pursuant to the provisions of Sections 203(b), (p), (q), (r), and 332.3 of the Building Code, the costs thereof having accrued to abate properties with outstanding code enforcement violations.

File 41-95-4

The privilege of the floor was granted to the following persons:

John Giosso; James W. Stephens; David Choo; Victor Witlin; Randy Shaw; Wayne Sherman; Kate Gordon; Dehnert Queen; Mercedes Willis.

From the Department of Building Inspection

Adopted

[Special Assessment Liens for Assessment of Costs]

Resolution confirming report of delinquent charges (Assessment of Costs) for code enforcement cases, submitted by the Director of Building Inspection for services rendered by said department pursuant to the provisions of Sections 203(b), (p), (q), (r), and 332.3 of the Building Code, the costs thereof having accrued to abate properties with outstanding code enforcement violations. (Department of Building Inspection)

File 41-95-4, Resolution No. 701-95

The representative from the department submitted an amended report.

Supervisor Leal, seconded by Supervisor Kaufman, moved to amend the report dated August 21, 1995, concerning property at 1025 Bayshore Boulevard by reducing the total amount to \$890.95.

Motion to amend adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Kaufman, Kennedy, Leal, Migden - 8.

Absent: Supervisors Hsieh, Shelley, Teng - 3.

Adopted as amended by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Kaufman, Kennedy, Leal, Migden - 8.

Absent: Supervisors Hsieh, Shelley, Teng - 3.

PUBLIC COMMENT

The privilege of the floor was granted to the following persons:

Wayne Sherman, subsidewalk basement curb cuts;  
Dehnert Queen, master plan transportation issues;  
Marie Harrison, Geneva Towers evictions;  
Leboriae P. Smoore, Aaron William, Geneva Towers;  
Dinah Hamilton, police officers, Aaron Williams;  
Peter J. Sampson, mandatory direct rent program;  
Steven Bingham, mandatory direct rent program;  
Steve Williams, mandatory direct rent program;  
Patty Snitzler, mandatory direct rent program;  
Jesus Gumbah, termination from City services;  
Joseph Barnes, transport workers wages;  
Randy Shaw, mandatory direct rent program;  
Paul Oak, mandatory direct rent program;  
Jacqueline Laurent, homeless issues;  
Roberta Rose, transport workers wages;  
Larry Martin, transport workers wages;  
Sylvester Brown, transport workers wages;  
Albert Michely, transport workers wages;

There being no one else present wishing to speak, President Pro Tempore Bierman declared the public comment portion of the meeting closed.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures were introduced at a prior meeting of the Board with action requested at this meeting. Any Supervisor may require these measures to go to committee unless a motion to suspend the rules is adopted by eight votes (or a unanimous vote if only six or seven members are present). An "aye" vote is (a) a vote in favor of suspending the rule requiring reference to committee, and (b) a vote in favor of adoption of the measures. Eight votes (or a unanimous vote if only six or seven members are present) is required.

Adopted

[Proclaim Women's Equality Day]  
Resolution declaring August 26, 1995 as Women's Equality Day in San Francisco. (Supervisors Shelley, Kaufman, Bierman, Alioto, Hallinan, Ammiano, Leal)

File 4-95-19, Resolution No. 696-95

(August 14, 1995 - Introduced in Board for consideration on August 21, 1995.)

Adopted.

In connection with the above item, Supervisors Kaufman, Bierman, Alioto, Hallinan, Ammiano, Leal requested to be added as co-sponsors.

[Commend Anniversary of 19th Amendment]  
Resolution commemorating the 75th Anniversary of the 19th Amendment, granting women the right to vote. (Supervisors Migden, Kaufman, Bierman, Alioto, Hallinan, Ammiano, Leal)

File 6-95-78, Resolution No. 697-95

(August 14, 1995 - Introduced in Board for consideration on August 21, 1995.)

Adopted.

In connection with the above item, Supervisors Kaufman, Bierman, Alioto, Hallinan, Ammiano, Leal requested to be added as co-sponsors.

[Commend Jacqueline Kazarian]  
Resolution commending the dedication and work of Jacqueline Papazian Kazarian in preserving and restoring the home of William Saroyan. (Supervisors Shelley, Bierman, Alioto, Ammiano)

File 6-95-79, Resolution No. 698-95

(August 14, 1995 - Introduced in Board for consideration on August 21, 1995.)

Adopted.

In connection with the above item, Supervisors Bierman, Alioto, Ammiano requested to be added as co-sponsors.

[Free Rides, Muni F-Line]  
Resolution providing that the Board of Supervisors determines that there is a public need and necessity to provide free rides on the new, historic F-Line on September 1, 1995 for half a day. (Supervisors Migden, Alioto, Ammiano, Bierman, Kaufman, Leal, Teng, Shelley, Hallinan)

File 7-95-7, Resolution No. 699-95

(August 14, 1995 - Introduced in Board for consideration on August 21, 1995.)

Adopted.

In connection with the above item, Supervisor Hallinan requested to be added as co-sponsor.

[Final Map, Artsdeco-Arkansas Street]  
Motion approving final map of Artsdeco-Arkansas Street, 1695 18th Street, a Condominium Project, being a resubdivision of Lot 4 in Assessor's Block 4034, and adopting findings pursuant to City Planning Code Section 101.1. (Supervisor Bierman)

File 58-95-19

(August 14, 1995 - Introduced in Board for consideration on August 21, 1995.)

Adopted.

In connection with the above item, Supervisor Bierman requested to be added as sponsor.

The foregoing items on the For Adoption Without Committee Reference Calendar were adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Kaufman, Kennedy, Leal, Migden - 8.

Absent: Supervisors Hsieh, Shelley, Teng - 3.

IMMEDIATE ADOPTION CALENDAR

These measures are being introduced at this meeting. A unanimous vote is required for adoption today. Any Supervisor may require any of these measures to go to committee.

The following three measures were acted upon separately.

Adopted

[Leaves of Absence]

Resolution granting leaves of absence to various city and county officers with permission to leave the state. (Clerk of the Board)

File 1-95-32, Resolution No. 661-95

Carole Migden, member, Board of Supervisors, August 17 - 20 and August 31 - September 16; Michael Hardeman, Commissioner, Port of San Francisco, September 8 - 10 and September 21 - 23; Bear King, Commissioner, Human Rights Commission, August 31 - September 4; Calvin Louie, Commissioner, Human Rights Commission, September 6 - 11, 1995.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Kaufman, Kennedy, Leal, Migden, - 8.

Absent: Supervisors Hsieh, Shelley, Teng - 3.

Refused Adoption; Rescinded;  
Referred to Committee

[Funds on Reserve for Mandatory Direct Rent Payment Program]

Resolution urging the Controller not to release the \$750,000 now on reserve, intended for the implementation of the mandatory direct rent payment program until such time as both the Department of Building Inspection and Catholic Charities have identified and ascertained the availability of at least 500 vacant hotel rooms that have not been cited for Housing or Health Code violations during the past 12 months. (Supervisor Hallinan, Bierman)

File 107-95-1.4, Resolution No.

Refused adoption by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Kaufman, Leal, Migden - 7.

Noes: Supervisor Kennedy - 1.

Absent: Supervisors Hsieh, Shelley, Teng - 3.

Supervisor Alioto, seconded by Supervisor Ammiano, moved to rescind the previous vote.

No objection and motion carried.

At the request of Supervisor Hallinan, referred to Government Efficiency and Labor Committee.

Referred to Committee

[Extending Time for Negotiations, Class 9163]

Motion extending time for final adoption of ordinances approving salary benefits and/or working conditions for the Transport Operators, pursuant to Charter Section 3.100-2. (Supervisor Kennedy)

File 104-95-2

Supervisor Ammiano requested that this matter be referred to Committee.

Supervisor Kennedy, seconded by Supervisor Kaufman, moved to grant privilege of the floor to his Honor, Mayor Frank Jordan.

No objection and motion carried.

The Mayor explained his reasons for urging the Supervisors to adopt the above motion.

At the request of Supervisor Ammiano, referred to Government Efficiency and Labor Committee.

IMPERATIVE CALENDAR

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the following two motions.

Adopted

[Purely Commendatory Finding]

Motion that the Board finds by roll call vote that the resolutions being considered at this time are purely commendatory.

Supervisor Hallinan, seconded by Supervisor Kennedy, moved adoption.

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Hallinan, Kaufman, Kennedy, Leal - 6.

Absent: Supervisors Alioto, Hsieh, Migden, Shelley, Teng - 5.

[Brown Act Finding]

Motion that the Board finds by roll call vote that for the resolutions being considered at this time there is a need to take immediate action and the need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

Supervisor Kennedy, seconded by Supervisor Hallinan, moved adoption.

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Hallinan, Kaufman, Kennedy, Leal - 6.

Absent: Supervisors Alioto, Hsieh, Migden, Shelley, Teng - 5.

[Imperative Resolutions, if any]

Adopted

[Commend Louette Colombano]

Resolution commending Louette Colombano and proclaiming August 24, 1995 as "Louette Colombano Day" in the City and County of San Francisco.

File 006-95-080, Resolution No. 665-95

Supervisors Leal, Kaufman presented for immediate adoption.

Resolution adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Hallinan, Kaufman, Kennedy, Leal - 6.

Absent: Supervisors Alioto, Hsieh, Migden, Shelley, Teng - 5.



[Pier 45 Reopening]

Resolution commemorating the reopening of Pier 45 Commercial Fishing Center.

File 006-95-081, Resolution No. 666-95

Supervisor Kaufman presented on behalf of Supervisor Shelley for immediate adoption.

Resolution adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Hallinan, Kaufman, Kennedy, Leal - 6.

Absent: Supervisors Alioto, Hsieh, Migden, Shelley, Teng - 5.

OFF-CALENDAR LEGISLATION

ROLL CALL FOR INTRODUCTION OF MEASURES AND COMMUNICATIONS  
NOT CONSIDERED OR REPORTED ON BY COMMITTEE

Referred to Committee

[Credit Card and ATM Card Payments]

Ordinance amending Administrative Code Section 10.11-2 by authorizing the Art Commission and Library Department to accept credit cards or automatic teller machine cards (ATM) for the payment of fees and charges. Supervisor Migden presented. Referred to Government Efficiency/Labor Committee.

File 097-95-010.01.

[Citizens Committee on Government Reform]

Ordinance amending Administrative Code Sections 3.19 through 3.19-3 to establish the Citizens Commission on Government Reform. Supervisor Ammiano presented. Referred to Rules Committee.

File 097-95-045.

[Bicycle Racks]

Ordinance amending City Planning Code Section 155 by adding Section 155 (j.1) to provide bicycle storage for all city-owned and city-leased properties. Supervisor Migden presented. Referred to Housing and Land Use Committee.

File 115-95-008.

Referred to Board

[Lifespan Bay Bridge 10K Race]

Resolution endorsing the Lifespan Bay Bridge 10K Race and proclaiming September 24, 1995, "Lifespan Day in San Francisco. Supervisor Migden presented. Referred to Board for Adoption Without Committee Reference Calendar August 28, 1995.

File 004-95-020.

[Coastweek/Coastal Cleanup Day]

Resolution declaring the weeks of September 16 through October 9, 1995 as Coastweeks and September 23, 1995 as Coastal Cleanup Day. Supervisor Alioto presented. Referred to Board for Adoption Without Committee Reference Calendar August 28, 1995.

File 004-95-021.

[Commendation]

Resolution commending the Department of Public Health and the Golden Gate University Law School's Environmental Law and Justice Clinic for their outstanding joint efforts to call attention to special women's health issues in the Bayview Hunters Point community. Supervisor Ammiano presented. Referred to Board for Adoption Without Committee Reference Calendar August 28, 1995.

File 006-95-082.

[Medicare and Medicaid]

Resolution urging the Board of Supervisors to oppose the privatization of existing public health programs, to oppose the conversion of medicaid to a block grant program, and to send letters to state and federal officials supporting their position and to encourage San Francisco to do likewise. Supervisor Bierman presented. Referred to Board for Adoption Without Committee Reference Calendar August 28, 1995.  
File 012-95-046.

Referred to Committee

[Beach Blanket Babylon Boulevard]

Resolution commending Steve Silver's work and philanthropy by designating the 600 block of Green Street "Beach Blanket Babylon Boulevard". Supervisor Alioto presented. Referred to Housing and Land Use Committee.

File 075-95-001.01.

[Homeless Advocates]

Resolution urging the District Attorney to drop the prosecution of housing and homeless advocates arrested when advocating for the use of vacant buildings for housing for people who are homeless. Supervisor Hallinan presented. Referred to Government Efficiency/Labor Committee.

File 258-95-001.

Referred to Board

[Continuum HIV Day Services Eviction]

Resolution urging Farallon Real Estate Services Company to cease and desist in their eviction efforts against Continuum HIV Day Services and to sign the two-year lease extension with Union Bank. Supervisors Migden, Alioto, Bierman, Kennedy, Ammiano, Shelley presented. Referred to Board for Adoption Without Committee Reference Calendar August 28, 1995.

File 259-95-001.

Requests for Hearings:

[Health Care]

Hearing to consider the status of health care restructuring on San Francisco and its impact on patient services and health care workers. Supervisor Alioto presented. Referred to Health/Public Safety/Environment Committee with request it be considered at a special meeting August 23, 1995.

File 030-95-014.

[Task Force on Native American/Indian Issues]

Hearing to consider the structure, election of officers and purpose of the Task Force on Native American/Indian Social Issues. Supervisor Kennedy presented. Referred to Economic Vitality/Social Policy Committee with request it be considered in September 1995.

File 260-95-001.

Motions:

Referred to Board

[Needle Exchange Emergency]

Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program. Supervisors Alioto, Leal, Bierman, Shelley, Migden, Teng presented. Referred to Board for Adoption Without Committee Reference Calendar August 28, 1995.

File 030-95-001.17.

Referred to Committee

[Rebuttal Argument, Proposition E]

Motion authorizing rebuttal to opponent's ballot argument against Proposition E, a charter amendment to repeal the 1932 Charter and to enact a new Charter. Supervisors Kaufman, Leal, Teng, Kennedy presented. Referred to Rules Committee.

File 281-94-003.

[Rebuttal Argument, Proposition N]

Motion authorizing rebuttal to opponent's ballot argument against Proposition N, a referendum on Ordinance 89-95 concerning campaign finance reform. Supervisor Hallinan presented. Referred to Rules Committee.

File 060-95-004.02.

[Rebuttal Argument, Proposition A]

Motion authorizing rebuttal to opponent's ballot argument against Proposition A, a bond measure concerning City Hall. Supervisor Hsieh presented. Referred to Rules Committee.

File 060-95-005.04.

[Rebuttal Argument, Proposition B]

Motion authorizing rebuttal to opponent's ballot argument against Proposition B, a bond measure concerning underground storage tanks. Supervisor Hsieh presented. Referred to Rules Committee.

File 060-95-005.05.

[Rebuttal Argument, Proposition C]

Motion authorizing rebuttal to opponent's ballot argument against Proposition C, a bond measure concerning Steinhart Aquarium. Supervisor Shelley presented. Referred to Rules Committee.

File 060-95-005.06.

[Rebuttal Argument, Proposition I]

Motion authorizing rebuttal to opponent's ballot argument against Proposition I, an ordinance concerning taxicabs. Supervisors Bierman, Ammiano presented. Referred to Rules Committee.

File 060-95-006.02.

[Rebuttal Argument, Proposition O]

Motion authorizing rebuttal to proponent's ballot argument in favor of Proposition O, an ordinance concerning repealing law that renamed Army Street to Cesar Chavez Street. Supervisor Leal presented. Referred to Rules Committee.

File 060-95-009.01.

[Rebuttal Argument, Proposition L]

Motion authorizing rebuttal to proponent's ballot argument in favor of Proposition L, an ordinance concerning juvenile curfew. Supervisor Leal presented. Referred to Rules Committee.

File 060-95-010.02.

[Rebuttal Argument, Proposition H]

Motion authorizing rebuttal to proponent's ballot argument in favor of Proposition H, an initiative charter amendment concerning the Parking and Traffic Department. Supervisor Ammiano presented. Referred to Rules Committee.

File 060-95-011.02.

[Rebuttal Argument, Proposition K]

Motion authorizing rebuttal to proponent's ballot argument in favor of Proposition K, an ordinance requiring study of alternative vehicles for delivery of city services. Supervisor Shelley presented. Referred to Rules Committee.

File 060-95-014.01.

[Rebuttal Argument, Proposition M]

Motion authorizing rebuttal to proponent's ballot argument in favor of Proposition M, an ordinance concerning campaign contribution limits and finance reform. Supervisor Hallinan presented. Referred to Rules Committee.

File 060-95-015.01.

[Rebuttal Argument, Proposition G]

Motion authorizing rebuttal to opponent's ballot argument against Proposition G, a charter amendment concerning the Office of Citizen Complaints. Supervisor Ammiano presented. Referred to Rules Committee.

File 243-95-003.

[Rebuttal Argument, Proposition F]

Motion authorizing rebuttal to opponent's ballot argument against Proposition F, a charter amendment concerning establishment of a youth commission. Supervisors Alioto, Kennedy, Bierman, Ammiano, Teng, Hallinan, Shelley presented. Referred to Rules Committee.

File 235-95-003.

[Rebuttal Argument, Proposition D] Motion authorizing rebuttal to opponent's ballot argument against Proposition D, a charter amendment concerning the prevailing wage requirements for certain contracts for public works and improvements. Supervisors Hallinan, Leal, Bierman, Alioto, Kennedy presented. Referred to Rules Committee.

File 253-95-003.

Introduced by the President at the Request of Departments

Ordinances Referred to Committee

File 045-95-035. [Settlement of Litigation, Anne Young] Ordinance authorizing settlement of litigation of Anne Young v. City and County of San Francisco, San Francisco Fire Department, by payment of Six Hundred Thousand Dollars (\$600,000). Superior Court No. 947-422. (City Attorney) Referred to Government Efficiency/Labor Committee.

File 065-95-008. [Lease of Property, 1800 Oakdale Avenue] Ordinance authorizing and approving lease of City-owned property at 1800 Oakdale Avenue (Southeast Community Facility, northeast corner of Phelps Street and Oakdale Avenue) to South Bayshore Community Development Corporation, a California non-profit public benefit corporation, without competitive bidding. (Real Estate Department) Referred to Government Efficiency/Labor Committee.

File 097-95-041. [Agricultural Products Inspection Fees] Ordinance amending Administrative Code by amending Section 1.10 to increase fees charged by the County Agricultural Commissioner for the inspection and certification of agricultural products. (Department of Agriculture and Weights and Measures) Referred to Budget Committee.

File 097-95-042. [Farmer's Market Certification Fee] Ordinance amending Administrative Code by adding Section 1.10-1 to authorize the County Agricultural Commissioner to impose a fee for the issuance, modification, verification or renewal of any certificate for any certified farmer's market operating within the City and County of San Francisco. (Department of Agriculture and Weights and Measures) Referred to Budget Committee.

File 097-95-043. [Quarantine Inspection Fees] Ordinance amending Administrative Code by adding Section 1.10-2 to authorize the County Agricultural Commissioner to impose fees for off-hours inspection and/or reinspection of quarantine shipments. (Department Agriculture and Weights and Measures) Referred to Budget Committee.

File 097-95-044. [Salad Processing Inspection Fee] Ordinance amending Administrative Code by adding Section 1.10-3 to authorize the County Agricultural Commissioner to impose fees for the inspection of salad products processors operating in the City and County of San Francisco. (Department of Agriculture and Weights and Measures) Referred to Budget Committee.

Resolutions Referred to Committee

File 045-95-034. [General Motors v. CCSF, Extend 5-Year Time Limit] Resolution authorizing the City Attorney to agree to extend the five-year time limit within which action must be brought to trial in General Motors Corporation v. City and County of San Francisco, to allow time for the California Supreme Court to decide whether to review a Second District Court of Appeal case that presents an issue crucial to the City's defense of the above-entitled case. (Superior Court No. 926-031) (City Attorney) Referred to Government Efficiency/Labor Committee.

File 172-95-037. [Hold Harmless Agreement, SFPD - U.S. Park Police] Resolution authorizing the Chief of Police to execute a Memorandum of Understanding containing a Hold Harmless Agreement with the United States Department of Interior, National Park Service, United States Park Police for the activities of officers for both agencies under the terms of the MOU. (Police Commission) Referred to Government Efficiency/Labor Committee.

Requests Granted

There being no objection, the Board directed the Clerk to comply with the following requests:

By Supervisor Hallinan, that letter be sent to Cal Trans concerning funding for implementation of the Central Freeway Task Force pending recommendation.

By Supervisor Hallinan, that letter be sent to San Francisco Redevelopment Agency concerning the Central Freeway Task Force design issues and request information be provided by August 31, 1995 relative to the Redevelopment Agency's participation as lead agency in land disposition for surplus properties by assisting in assessing the value of land freed up by demolition of the Central Freeway ramp, a rough estimate of value of land if sold and a projected incremental increase in property taxes to the City and that the Parking and Traffic RFP study in the Lower Fillmore be conducted in tandem with the scope of the Central Freeway Task Force.

By Supervisor Hallinan, that letter of inquiry be sent to the Director of Purchasing, Controller and other relevant departments to determine the status of San Francisco's government contracts for personal services with those who do business in or with Burma (Myanmar) and information on the purchased commodities produced in Burma or provided by those who do business in or with Burma with request that each addressee reply by August 31, 1995.

By Supervisor Kennedy, that letter be sent to the Task Force on Native American Issues requesting that copies of all meeting notices and minutes be provided to the Board of Supervisors.

By Supervisor Kennedy, that letter of inquiry be sent to the Director, Housing and Urban Development, concerning the tenants who remain at Geneva Towers to determine if they are being denied Section 8 services, if so, why and urge that evictions be ceased until such time that these tenants have found replacement housing.

By Supervisor Kennedy, that letter be sent to the Director of Public Works to inquire on the status of work being done on the sidewalk curb cutouts to make them accessible for the handicapped as required by the Americans with Disabilities Act regulations.

Motions Adopted

Motion that the Board adjourn its meeting this date out of respect to the memory of the following deceased:

R. J. Reynolds (Supervisors Kennedy, Hallinan)  
Reginald Young (Supervisor Kennedy)  
James Harold Seley (Supervisor Hallinan)  
David Lemos (Supervisor Hallinan)  
Russell Fields (Supervisor Migden)  
Patricia Kathryn Brown (Supervisor Leal)

File 2-95-32

Unanimously adopted by a rising vote.

ADJOURNMENT

There being no further business, the Board at the hour of 5:44 p.m. adjourned.

John L. Taylor, Clerk

N.B. This Journal of Proceedings sets forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on October 23, 1995.

I, John L. Taylor, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Journal of Proceedings of said Board on the date stated and was approved as recited.

John L. Taylor  
Clerk of the Board of Supervisors



Monday, August 28, 1995

# **Journal of Proceedings**

*The Minutes of the*

## **Board of Supervisors**

City and County of San Francisco

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Volume 90

Number 33





JOURNAL OF PROCEEDINGS

BOARD OF SUPERVISORS

\_\_\_\_\_  
Monday, August 28, 1995 - 2:00 p.m.  
\_\_\_\_\_

The Board of Supervisors of the City and County of San Francisco met in regular session on the above date with President Kevin Shelley presiding.

CALLING THE ROLL

The meeting was called to order at 2:10 p.m. On call of the roll, the following Supervisors were noted present:

Supervisors Alioto, Ammiano, Hallinan, Kennedy, Leal, Migden, Shelley - 7.

Noted absent at first roll call:

Supervisors Bierman, Hsieh, Kaufman, Teng - 4.

Quorum present.

Supervisors Bierman, Hsieh, Teng excused, on official leaves of absence.

Supervisor Kaufman was noted present at 2:12 p.m.

APPROVAL OF JOURNALS

There being no errors, corrections or omissions, Supervisor Hallinan, seconded by Supervisor Migden moved that the Journals of Proceedings for Monday, June 26 and July 10, 1995, be approved.

Motion carried by the following vote:

Ayes: Supervisors Alioto, Ammiano, Hallinan, Kennedy, Leal, Migden, Shelley - 7.

Absent: Supervisors Bierman, Hsieh, Kaufman, Teng - 4.

Introduction of Guest

Supervisor Kennedy introduced her nephew Abraham Gonzalez, niece Kristen Newhouse and her niece's friend Pamela Parsons.

SPECIAL ORDER 2:00 P.M.

COMMITTEE REPORTS

Recommendations of Rules Committee

Adopted

[Rebuttal Argument, Proposition A]

Motion authorizing rebuttal to opponent's ballot argument against Proposition A, a bond measure concerning City Hall. (Supervisor Hsieh)

File 60-95-5.4

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Hallinan, Kennedy, Leal, Migden, Shelley - 7.

Absent: Supervisors Bierman, Hsieh, Kaufman, Teng - 4.

[Rebuttal Argument, Proposition B]

Motion authorizing rebuttal to opponent's ballot argument against Proposition B, a bond measure concerning underground storage tanks. (Supervisor Hsieh)

File 60-95-5.5

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Hallinan, Kennedy, Leal, Migden, Shelley - 7.

Absent: Supervisors Bierman, Hsieh, Kaufman, Teng - 4.

[Rebuttal Argument, Proposition C]

Motion authorizing rebuttal to opponent's ballot argument against Proposition C, a bond measure concerning Steinhart Aquarium. (Supervisor Shelley)

File 60-95-5.6

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Hallinan, Kennedy, Leal, Migden, Shelley - 7.

Absent: Supervisors Bierman, Hsieh, Kaufman, Teng - 4.

[Rebuttal Argument, Proposition D]

Motion authorizing rebuttal to opponent's ballot argument against Proposition D, a charter amendment concerning the prevailing wage requirements for certain contracts for public works and improvements. (Supervisor Hallinan)

File 253-95-3

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Hallinan, Kaufman, Kennedy, Leal, Migden, Shelley - 8.

Absent: Supervisors - Bierman, Hsieh, Teng - 3.

Adopted as Amended

[Rebuttal Argument, Proposition E]

Motion authorizing rebuttal to opponent's ballot argument against Proposition E, a charter amendment to repeal the 1932 Charter and to enact a new Charter. (Supervisor Kaufman)

File 281-94-3

Supervisor Kaufman, seconded by Supervisor Leal, moved an amendment of the whole bearing same title amending rebuttal argument.

Motion to amend adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Hallinan, Kaufman, Kennedy, Leal, Migden, Shelley - 8.

Absent: Supervisors - Bierman, Hsieh, Teng - 3.

Adopted as amended by the following vote:

Ayes: Supervisors Alioto, Ammiano, Hallinan, Kaufman, Kennedy, Leal, Migden, Shelley - 8.

Absent: Supervisors - Bierman, Hsieh, Teng - 3.

Adopted

[Rebuttal Argument, Proposition F]

Motion authorizing rebuttal to opponent's ballot argument against Proposition F, a charter amendment concerning establishment of a youth commission. (Supervisor Alioto)

File 235-95-3

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Hallinan, Kaufman, Kennedy, Leal, Migden, Shelley - 8.

Absent: Supervisors - Bierman, Hsieh, Teng - 3.

[Rebuttal Argument, Proposition G]

Motion authorizing rebuttal to opponent's ballot argument against Proposition G, a charter amendment concerning the Office of Citizen Complaints. (Supervisors Ammiano, Alioto)

File 243-95-3

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Hallinan, Kaufman, Kennedy, Leal, Migden, Shelley - 8.

Absent: Supervisors - Bierman, Hsieh, Teng - 3.

[Rebuttal Argument, Proposition H]

Motion authorizing rebuttal to proponent's ballot argument in favor of Proposition H, an initiative charter amendment concerning the Parking and Traffic Department. (Supervisor Ammiano)

File 60-95-11.2

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Hallinan, Kaufman, Kennedy, Leal, Migden, Shelley - 8.

Absent: Supervisors - Bierman, Hsieh, Teng - 3.

[Rebuttal Argument, Proposition I]

Motion authorizing rebuttal to opponent's ballot argument against Proposition I, an ordinance concerning taxicabs. (Supervisor Bierman)

File 60-95-6.2

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Hallinan, Kaufman, Kennedy, Leal, Migden, Shelley - 8.

Absent: Supervisors - Bierman, Hsieh, Teng - 3.

[Rebuttal Argument, Proposition K]

Motion authorizing rebuttal to proponent's ballot argument in favor of Proposition K, an ordinance requiring study of alternative vehicles for delivery of city services. (Supervisors Shelley, Alioto)

File 60-95-14.1

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Hallinan, Kaufman, Kennedy, Leal, Migden, Shelley - 8.

Absent: Supervisors - Bierman, Hsieh, Teng - 3.

[Rebuttal Argument, Proposition L]

Motion authorizing rebuttal to proponent's ballot argument in favor of Proposition L, an ordinance concerning juvenile curfew. (Supervisor Leal)

File 60-95-10.2

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Hallinan, Kaufman, Kennedy, Leal, Migden, Shelley - 8.

Absent: Supervisors - Bierman, Hsieh, Teng - 3.

[Rebuttal Argument, Proposition M]

Motion authorizing rebuttal to proponent's ballot argument in favor of Proposition M, an ordinance concerning campaign contribution limits and finance reform. (Supervisors Hallinan, Alioto)

File 60-95-15.1

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Hallinan, Kaufman, Kennedy, Leal, Migden, Shelley - 8.

Absent: Supervisors - Bierman, Hsieh, Teng - 3.

[Rebuttal Argument, Proposition N]

Motion authorizing rebuttal to opponent's ballot argument against Proposition N, a referendum on Ordinance 89-95 concerning campaign finance reform. (Supervisors Hallinan, Alioto)

File 60-95-4.2

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Hallinan, Kaufman, Kennedy, Leal, Migden, Shelley - 8.

Absent: Supervisors - Bierman, Hsieh, Teng - 3.

Adopted as Amended

[Rebuttal Argument, Proposition O]

Motion authorizing rebuttal to proponent's ballot argument in favor of Proposition O, an ordinance concerning repealing law that renamed Army Street to Cesar Chavez Street. (Supervisors Leal, Alioto)

File 60-95-9.1

Supervisor Leal, seconded by Supervisor Kaufman, moved an amendment of the whole bearing same title amending rebuttal argument. (Proposition O)

Motion to amend adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Hallinan, Kaufman, Kennedy, Leal, Migden, Shelley - 8.

Absent: Supervisors - Bierman, Hsieh, Teng - 3.

Adopted as amended by the following vote:

Ayes: Supervisors Alioto, Ammiano, Hallinan, Kaufman, Kennedy, Leal, Migden, Shelley - 8.

Absent: Supervisors - Bierman, Hsieh, Teng - 3.

CONSENT CALENDAR

Recommendation of Rules Committee

Finally Passed

[Sunshine Ordinance Amendment]

Ordinance amending Administrative Code, to require policy body agendas to refer to rights provided in the Sunshine Ordinance; to amend the time requirements for seeking sign language interpreters at the meetings of policy bodies; and to authorize the Director of Public Health to withhold from public disclosure payment rates in managed health care contracts if the Director makes a certain determination, and providing a sunset clause for the exemption. (Supervisors Shelley, Alioto)

File 97-95-40, Ordinance No. 292-95

(Amends Sections 67.7, 67.15 and 67.24.)

Finally passed.

Recommendation of Government Efficiency and Labor Committee

Passed for Second Reading

[Settlement of Litigation, U.S.A. (Davis) v. CCSF]

Ordinance authorizing settlement of litigation of U.S.A. (Davis) v. City and County, by payment of \$1,404,894.90. (City Attorney)

File 45-95-33, Ordinance No.

(USDC, Northern California, Consolidated Cases Nos. C84-7089 MPH and C84-1100.)

Passed for second reading.

The foregoing items on the Consent Calendar were acted upon by the following vote:

Ayes: Supervisors Alioto, Ammiano, Hallinan, Kaufman, Kennedy, Leal, Migden, Shelley - 8.

Absent: Supervisors - Bierman, Hsieh, Teng - 3.

#### REGULAR CALENDAR

#### NEW BUSINESS

#### Recommendations of Government Efficiency and Labor Committee

#### Adopted

[Prop J Contract, Laundry Services]

Resolution concurring with the Controller's certification that the laundry processing services can be practically performed for the Department of Public Health, San Francisco General Hospital, by private contractor for a lower cost than similar work services performed by City and County employees. (Department of Public Health)

File 25-95-17, Resolution No. 712-95

(Fiscal Impact.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Hallinan, Kaufman, Kennedy, Leal, Migden, Shelley - 8.

Absent: Supervisors - Bierman, Hsieh, Teng - 3.

[Contract Out, Victim Witness Services]

Resolution concurring with the Controller's certification that assistance to certain victims of crime and education in community anti-street violence can be practically performed for the District Attorney's Victim Witness Assistance Program by a private contract for a lower cost than similar work services performed by City and County employees, retroactive to July 1, 1995. (Supervisor Alioto)

File 25-95-24, Resolution No. 703-95

(Fiscal Impact.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Hallinan, Kaufman, Kennedy, Leal, Migden, Shelley - 8.

Absent: Supervisors - Bierman, Hsieh, Teng - 3.

In connection with the above item, Supervisor Alioto requested to be added as co-sponsor.

#### Adopted as Amended

[State Grant - California Healthcare for Indigents Program]

Resolution authorizing the Department of Public Health to apply for, accept, and expend retroactively, a grant allocation of up to \$8,971,844 for fiscal year 1995-96 funding from the State Department of Health Services for California Healthcare for Indigents Program (CHIP) funds for medical services to indigent persons, professional services, medical services contracts, materials and supplies, facilities rental, personal services, and indirect costs in the amount of \$61,442, based on 12.1 percent of administrative and fiscal intermediary costs. (Department of Public Health)

File 146-95-11, Resolution No. 714-95

Supervisor Hallinan, seconded by Supervisor Kennedy, moved to amend by replacing "\$8,971,844" with "\$9,017,274" wherever it appears in the legislation.

New title: "Resolution Authorizing the Department of Public Health to apply for, accept, and expend retroactively, a grant allocation of up to \$9,017,274 for fiscal year 1995-96 funding from State Department of Health Services for California Healthcare for Indigents Program (CHIP) funds for medical services to indigent persons, professional services, medical services contracts, materials and supplies, facilities rental, personal services, and indirect costs in the amount of \$61,442, based on 12.1% of administrative and fiscal intermediary costs."

Motion to amend adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Hallinan, Kaufman, Kennedy, Leal, Migden, Shelley - 8.

Absent: Supervisors - Bierman, Hsieh, Teng - 3.

Adopted as amended by the following vote:

Ayes: Supervisors Alioto, Ammiano, Hallinan, Kaufman, Kennedy, Leal, Migden, Shelley - 8.

Absent: Supervisors - Bierman, Hsieh, Teng - 3.

Adopted

[Grand Jury Recommendations]

Motion directing the Clerk of the Board of Supervisors to submit comments on the recommendations of the 1994-95 Civil Grand Jury to the Presiding Judge of the Superior Court pertaining to the Department of Human Resources. (Government Efficiency and Labor Committee)

File 39-95-4

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Hallinan, Kaufman, Kennedy, Leal, Migden, Shelley - 8.

Absent: Supervisors - Bierman, Hsieh, Teng - 3.

[Grand Jury Recommendations]

Motion directing the Clerk of the Board of Supervisors to submit comments on the recommendations of the 1994-95 Civil Grand Jury to the Presiding Judge of the Superior Court pertaining to the Juvenile Probation Department. (Government Efficiency and Labor Committee)

File 39-95-6

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Hallinan, Kaufman, Kennedy, Leal, Migden, Shelley - 8.

Absent: Supervisors - Bierman, Hsieh, Teng - 3.

Recommendation of Health, Public Safety and Environment Committee

Adopted

[Expunging Arrest Records]

Resolution urging the Mayor to urge the Police Commission and Police Department, and additionally urging the District Attorney, to take all steps necessary to expunge, or to further the expungement of, the arrest and other related records arising from the arrest by the Police Department of approximately 279 protesters on June 26, 1995. (Supervisor Alioto)

File 207-95-11.1, Resolution No. 717-95

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Hallinan, Kaufman, Kennedy, Leal, Migden, Shelley - 8.

Absent: Supervisors - Bierman, Hsieh, Teng - 3.

SPECIAL ORDER 3:00 P.M.

Hearing Held

[Public Hearing]

Hearing of persons interested in or objecting to the proposed ordinance (Occupation License Tax Ordinance) thereto to impose a license tax of two percent (2%) of compensation on employees earning in excess of \$150,000 for work performed or services rendered within San Francisco; setting effective date of January 1, 1996.

File 127-95-3

(Fiscal Impact.)

(Adds Article 12-E, Sections 1231 through 1249; adds Section 1026.2.)

(The first public hearing as required by State law was held on July 31, 1995.)

The President inquired if anyone present wished to speak.

The privilege of the floor was granted to the following:

Speaking in Favor:

Arosa Simpson; Mark Gordon; Louise Vaughn; Laboriae Smoore; John DiDonna; Steve Bingham; David Barnham; Tom Gallagher; Male speaker.

Speaking in Opposition:

Dr. Thomas Jacobs; Mark Warren; Donna Hurowitz; Richard Essey; Barbara Patinkin; Lorraine Rominger; Frank Grimaldi; Kevin Spier; Tim Grace; John Gustoy; Donald Asher; Patricia Clarke.

There being no one else present wishing to speak, the President declared the hearing closed.

From Budget Committee "Without Recommendation"

(Supervisor Kaufman dissenting in Committee.)

Refused Adoption

[Occupation License Tax Ordinance]

Ordinance amending Part III, Municipal Code, (Occupation License Tax Ordinance) to impose a license tax of two percent (2%) of compensation on employees earning in excess of \$150,000 for work performed or services rendered within San Francisco; setting effective date of January 1, 1996. (Supervisor Ammiano)

File 127-95-3, Ordinance No.

(Fiscal Impact.)

(Adds Article 12-E, Sections 1231 through 1249; adds Section 1026.2.)

Refused adoption by the following vote:

Ayes: Supervisor Ammiano - 1.

Noes: Supervisors Alioto, Hallinan, Kaufman, Kennedy, Leal, Migden, Shelley - 7.

Absent: Supervisors Bierman, Hsieh, Teng - 3.

SPECIAL ORDER 3:00 P.M.

Hearing Held

[Public Hearing]

Hearing of persons interested in or objecting to report of Delinquent Hazardous Materials fee costs submitted by the Director of Public Health, as modified to the date of adoption of this resolution, and creating special assessment and liens based thereon.

File 14-95-1

(NOTE: Persons intending to object to the special assessment shall review their particular cases with Health Department officials in Room 300, 101 Grove Street, beginning at 1:00 P.M. When all Health Department reviews are completed, the Board shall hear unresolved objections.)

The President inquired if anyone present wished to speak.

There being no response, the President declared the public hearing closed.

From Department of Public Health

Adopted

[Delinquent Hazardous Materials Liens]

Resolution confirming report of delinquent hazardous materials fee costs submitted by the Director of Public Health, as modified to the date of adoption of this resolution, and creating special assessment and liens based thereon.

File 14-95-1, Resolution No. 710-95

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Hallinan, Kaufman, Kennedy, Leal, Migden, Shelley - 8.

Absent: Supervisors - Bierman, Hsieh, Teng - 3.

SPECIAL ORDER 3:00 P.M.

Hearing Held

[Public Hearing]

Hearing of persons interested in or objecting to report of Delinquent Charges for Refuse Collection Services and Nuisance removal costs submitted by the Director of Public Health, as modified to the date of adoption of this resolution, and creating special assessments and liens based thereon.

File 14-95-2

(NOTE: Persons intending to object to the special assessment shall review their particular cases with Health Department officials in Room 410 beginning at 1:00 P.M. When all Health Department reviews are completed, the Board shall hear unresolved objections.)

The President inquired if anyone present wished to speak.

There being no response, the President declared the public hearing closed.

From Department of Public Health

Adopted

[Garbage Liens]

Resolution confirming report of Delinquent Charges for Refuse Collection Services and Nuisance removal costs submitted by the Director of Public Health, as modified to the date of adoption of this resolution, and creating special assessments and liens based thereon.

File 14-95-2, Resolution No. 711-95

Adopted by the following vote:

Ayes: Supervisors Alioto, Hallinan, Kaufman, Kennedy, Leal, Migden, Shelley - 7.

Absent: Supervisors - Ammiano, Bierman, Hsieh, Teng - 4.

PUBLIC COMMENT

The privilege of the floor was granted to the following persons:

Wayne Sherman, wheelchair accessibility;  
James Chaffee, Sunshine Task Force, changes to ordinance;  
Constance, economic reform;  
Lois Robertson, Golden Gate Park sweep by police;  
James Tracy, Park Sweep and rooms for homeless.



There being no one else present wishing to speak, the President declared the public comment portion of the meeting closed.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures were introduced at a prior meeting of the Board with action requested at this meeting. Any Supervisor may require these measures to go to committee unless a motion to suspend the rules is adopted by eight votes (or a unanimous vote if only six or seven members are present). An "aye" vote is (a) a vote in favor of suspending the rule requiring reference to committee, and (b) a vote in favor of adoption of the measures. Eight votes (or a unanimous vote if only six or seven members are present) is required.

Severed From For Adoption Without Committee Reference Calendar

Supervisor Alioto on behalf of Supervisor Bierman, requested that the following measure be severed from the For Adoption Without Committee Reference Calendar and considered separately.

Referred to Committee

[Medicare and Medicaid]

Resolution urging the Board of Supervisors to oppose the privatization of existing public health programs, to oppose the conversion of medicaid to a block grant program, and to send letters to state and federal officials supporting their position and to encourage San Francisco to do likewise. (Supervisors Bierman, Alioto)

File 12-95-46, Resolution No.

(August 21, 1995 - Introduced in Board for consideration on August 28, 1995.)

At the request of Supervisor Alioto on behalf of Supervisor Bierman, referred to Health, Public Safety/Environment Committee.

The Board thereupon resumed its consideration of the following items on the For Adoption Without Committee Reference Calendar.

For Adoption Without Committee Reference Calendar

Adopted

[Lifespan Bay Bridge 10K Race]

Resolution endorsing the Lifespan Bay Bridge 10K Race and proclaiming September 24, 1995, "Lifespan Day in San Francisco. (Supervisors Migden, Alioto, Leal, Ammiano, Shelley)

File 4-95-20, Resolution No. 705-95

(August 21, 1995 - Introduced in Board for consideration on August 28, 1995.)

Adopted.

In connection with the above item, Supervisors Leal, Ammiano, Shelley requested to be added as co-sponsors.

[Coastweek/Coastal Cleanup Day]

Resolution declaring the weeks of September 16 through October 9, 1995 as Coastweeks and September 23, 1995 as Coastal Cleanup Day. (Supervisors Alioto, Leal, Shelley)

File 4-95-21, Resolution No. 706-95

(August 21, 1995 - Introduced in Board for consideration on August 28, 1995.)

Adopted.

In connection with the above item, Supervisors Leal, Shelley requested to be added as co-sponsor.

[Commendation]

Resolution commending the Department of Public Health and the Golden Gate University Law School's Environmental Law and Justice Clinic for their outstanding joint efforts to call attention to special women's health issues in the Bayview Hunters Point community. (Supervisors Ammiano, Alioto, Shelley)

File 6-95-82, Resolution No. 708-95

(August 21, 1995 - Introduced in Board for consideration on August 28, 1995.)

Adopted.

In connection with the above item, Supervisor Shelley requested to be added as co-sponsor.

[Continuum HIV Day Services Eviction]

Resolution urging Farallon Real Estate Services Company to cease and desist in their eviction efforts against Continuum HIV Day Services and to sign the two-year lease extension with Union Bank. (Supervisors Migden, Alioto, Bierman, Kennedy, Ammiano, Leal)

File 259-95-1, Resolution No. 715-95

(August 21, 1995 - Introduced in Board for consideration on August 28, 1995.)

Adopted.

In connection with the above item, Supervisor Leal requested to be added as co-sponsor.

[Needle Exchange Emergency]

Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program. (Supervisors Alioto, Leal, Bierman, Shelley, Migden, Teng)

File 30-95-1.17

(August 21, 1995 - Introduced in Board for consideration on August 28, 1995.)

Adopted.

[Final Map, 755 Florida Street]

Motion approving final map of 755 Florida Street, a Condominium Project, being a resubdivision of Lot 17 in Assessor's Block 4081, and adopting findings pursuant to City Planning Code Section 101.1. (Department of Public Works)

File 58-95-20

(August 21, 1995 - Introduced in Board for consideration on August 28, 1995.)

Adopted.

The foregoing items on the For Adoption Without Committee Reference Calendar were adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Hallinan, Kaufman, Kennedy, Leal, Migden, Shelley - 8.

Absent: Supervisors Bierman, Hsieh, Teng - 3.

IMMEDIATE ADOPTION CALENDAR

These measures are being introduced at this meeting. A unanimous vote is required for adoption today. Any Supervisor may require any of these measures to go to committee.

Adopted

[Leaves of Absence]

Resolution granting leaves of absence to various city and county officers with permission to leave the state. (Clerk of the Board)

File 1-95-33, Resolution No. 695-95

(Larry Mazzola, Member, Airports Commission, September 6 - 10; Wendell L. Pryor, Director, Department of Human Resources, August 25 - September 5; Louise H. Renne, City Attorney, Office of City Attorney, August 24 - 29, 1995.)

Adopted.

[Liability Insurance]

Resolution authorizing the City's assumption of damages due to earthquake in the contract for the seismic upgrade of War Memorial Opera House pursuant to Administrative Code Section 6.54. (Supervisor Hallinan)

File 172-95-36.1, Resolution No. 702-95

Adopted.

The foregoing items on the Immediate Adoption Calendar were adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Hallinan, Kaufman, Kennedy, Leal, Migden, Shelley - 8.

Absent: Supervisors Bierman, Hsieh, Teng - 3.

IMPERATIVE CALENDAR

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board adopted the following two motions.

Adopted

[Serious Injury Finding]

Motion that the Board find by roll call vote that for the resolution(s) being considered at this time "the need to take action is so imperative as to threaten serious injury to the public interest if action is deferred to a later meeting."

Supervisor Leal, seconded by Supervisor Kaufman, moved adoption.

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Hallinan, Kaufman, Kennedy, Leal, Migden, Shelley - 8.

Absent: Supervisors Bierman, Hsieh, Teng - 3.

[Brown Act Finding]

Motion that the Board find by roll call vote that for the resolutions being considered at this time there is a need to take immediate action and the need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

Supervisor Leal, seconded by Supervisor Kaufman, moved adoption.

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Hallinan, Kaufman, Kennedy, Leal, Migden, Shelley - 8.

Absent: Supervisors Bierman, Hsieh, Teng - 3.

[Imperative Resolutions, if any]

Adopted

[Disproportionate Share Hospital Equity]

Resolution supporting AB XX54 and SB XX24 -- Disproportionate Share Hospital Equity; urging the Mayor to urge the City's lobbyist take reasonable steps to advocate on behalf of AB XX54 and SB XX24 and to report to the Board on the status of the legislation.

File 012-95-047, Resolution No. 700-95

Supervisor Leal, seconded by Supervisor Kaufman, moved adoption.

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Hallinan, Kaufman, Kennedy, Leal, Migden, Shelley - 8.

Absent: Supervisors Bierman, Hsieh, Teng - 3.

OFF-CALENDAR LEGISLATION

ROLL CALL FOR INTRODUCTION OF MEASURES AND COMMUNICATIONS  
NOT CONSIDERED OR REPORTED ON BY COMMITTEE

Referred to Committee

[Settlement of Litigation]

Ordinance authorizing settlement of litigation (LVI Environmental, Inc. v. City and County of San Francisco, No. 960-308) by release of \$42,333.00 from encumbered funds to plaintiff LVI Environmental and release of \$125,000.00 from encumbered funds to cross-complainant Cohrssen Environmental, Inc. Supervisor Hallinan presented. Referred to Government Efficiency/Labor Committee with request it be considered at the September 12, 1995 meeting.

File 045-95-038.

[Occupation License Tax Ordinance]

Ordinance amending Part III, Municipal Code, (Occupation License Tax Ordinance) to impose a license tax of two percent (2%) of compensation on employees earning in excess of \$150,000 for work performed or services rendered within San Francisco; setting effective date of January 1, 1996. Supervisor Ammiano presented. Referred to Budget Committee.

File 127-95-003.01.

[State Legislation - Waiving Local Building Codes]

Resolution supporting the passage of SB 81, a bill which would allow the waiving of local building codes on military property being conveyed to local jurisdictions pending the completion of the base conversion process. Supervisors Shelley, Bierman presented. Referred to Board for Adoption Without Committee Reference Calendar September 5, 1995.

File 012-95-048.

[Moratorium On All Health Care Restructuring]

Resolution supporting a moratorium on all health care restructuring, including corporate restructuring, clinical restructuring, and technological restructuring; asking San Francisco's representatives in the state legislature to support such a moratorium; and urging members of the health care community to take all steps necessary to support and implement such a moratorium. Supervisor Alioto presented. Referred to Health/Public Safety/Environment Committee.

File 012-95-049.

Referred to Board

[Breast Cancer Exams]

Resolution urging the Mayor to urge the Department of Public Health to enhance its efforts to prevent and detect breast cancer and to reach targeted populations who are not receiving adequate mammograms and detection exams. Supervisor Migden presented. Referred to Board for Adoption Without Committee Reference Calendar September 5, 1995.

File 030-95-015.

[Seismic Safety Loan Program]

Substitute Resolution authorizing the Chief Administrative Officer or his designee to act on behalf of the City and County of San Francisco in connection with the Seismic Safety Loan Program, as described in San Francisco Administrative Code Chapters 66 and 66A, and ratifying prior actions taken by the Chief Administrative Officer or his designee in connection with the Seismic Safety Loan Program. (Also see Files 97-94-5 and 170-94-2). Supervisor Hsieh presented. Referred to Board for Adoption Without Committee Reference Calendar September 5, 1995.

File 186-95-008.1

Referred to Committee

[Glen Canyon Park]

Resolution urging the Mayor to urge the Recreation and Parks Commission to develop alternatives to its plans to pave a road through Glen Canyon Park. Supervisors Shelley, Leal presented. Referred to Rules Committee.

File 193-95-007.

[Monte Carlo Restaurant, Lane Street Renovation]

Resolution urging the Department of Public Works to work with the Department of City Planning, the Real Estate Department and the Department of Parking and Traffic to find a way to assist in the beautification of Lane Street through the Monte Carlo Restaurant Project. Supervisor Alioto presented. Referred to Board for Adoption Without Committee Reference Calendar September 5, 1995.

File 200-95-003.

Requests for Hearings:

[Funding Options for MUNI]

Hearing to consider motion directing the Board of Supervisors Budget Analyst to explore dedicated funding options for MUNI. Supervisor Migden presented. Referred to Budget Committee.

File 007-95-008.

[Taxi Fare Rates]

Hearing to consider a review of taxi fare rates, a procedure required each year between September 1 and December 1 by Police Code Section 1137. Clerk of the Board. Referred to Economic Vitality and Social Policy Committee.

File 015-95-001.

[Local Tobacco Tax]

Hearing to consider the establishment of a local tax on tobacco products. Supervisor Alioto presented. Referred to Health/Public Safety/Environment Committee

File 271-95-001.

Motions:

Referred to Committee

[Board Meeting - Richmond Neighborhood]

Motion ordering the October 16, 1995 meeting of the San Francisco Board of Supervisors to be held at George Washington High School, 600 32nd Avenue, in the Richmond District of San Francisco at 5:00 P.M. Supervisor Shelley presented. Referred to Rules Committee with request it be considered at the September 5, 1995 meeting.

File 054-95-009.

Introduced by the President at the Request of Departments

Ordinances Referred to Committee

File 045-95-036. [Settlement of Litigation, Miscellaneous Employees] Ordinance authorizing the settlement of wage freeze litigation covering miscellaneous employees during fiscal years 1993-1994 and 1994-1995. (Superior Court Nos. 953-407, 961-366, 961-484, 961-485, and 961-172). (City Attorney) Referred to Government Efficiency/Labor Committee.

File 045-95-037. [Settlement of Litigation, Coming Up, Inc.] Ordinance authorizing the settlement of the lawsuit by Coming Up, Inc. and Kim Corsaro against the City and County of San Francisco, former Police Chief Richard Hongisto, and Police Officers Gary Delagnes, Tom Yuen, and Gerald Golz by payment of the sum of \$5,600 to Coming Up, Inc. with interest to be paid from the date of judgment, payment of the sum of \$30,000 to Kim Corsaro with interest to be paid from the date of judgment, payment of the sum of \$15,633 to Coming Up, Inc. and Kim Corsaro for costs with interest to be paid from the date of judgment, and payment of the sum of \$215,000 to Coming Up, Inc. and Kim Corsaro for Attorney's fees and further authorizing the settlement of the cross claims for indemnification by Police Officers Delagnes, Yuen and Golz against the City and County of San Francisco by payment of the sum of \$130,000 to Delagnes, Yuen and Golz for their attorney's fees and costs. (U.S. District Court No. C92-3714). (City Attorney) Referred to Government Efficiency/Labor Committee.

File 093-95-035.02. [Amendment to MOU, Local 21] Ordinance amending Ordinance No. 221-95 to correct non-economical clerical errors and omissions to the provisions of the Memorandum of Understanding between the International Federation of Professional and Technical Engineers, AFL-CIO, Local 21 and the City and County of San Francisco for the period July 1, 1995 through June 30, 1997. (Department of Human Resources) Referred to Government Efficiency/Labor Committee.

Resolutions Referred to Committee

File 025-95-031. [Prop J Contract, Airport Information Booth Program] Resolution approving the Controller's certification that airport information booth services at San Francisco International Airport can be practically performed by private contractor at a lower cost than if work were performed by City employees at presently budgeted levels. (Airport) Referred to Government Efficiency/Labor Committee.

File 041-95-005. [Delinquent Charges for Reinspection Fee] Resolution confirming report of delinquent reinspection fee cost submitted by the Director of Public Health, as modified to the date of adoption of this resolution, and creating special assessments and liens based thereon. (Department of Public Health) Scheduled for public hearing before Board on September 11, 1995, at 3:00 p.m.

File 048-95-020. [Settlement of Claim, Citicorp Real Estate, Inc.] Resolution authorizing settlement of claim of Citicorp Real Estate, Inc., by payment of \$59,066.40 (consisting of \$54,661.00 in tax refunds and \$4,405.40 in interest) to be paid in four equal annual installments. (City Attorney) Referred to Government Efficiency/Labor Committee.

File 048-95-021. [Settlement of Claim, Lexine Alpert] Resolution approving the settlement of the unlitigated claim of Lexine Alpert by payment of \$15,000. (City Attorney) Referred to Government Efficiency/Labor Committee.

File 133-95-007. [State Grant, Waste Prevention Campaign] Resolution authorizing the Chief Administrative Officer (CAO) of the City and County of San Francisco to accept and expend \$50,000 from the League of California Cities/California Integrated Waste Management Board. (Chief Administrative Officer) Referred to Government Efficiency/Labor Committee.

File 156-95-001. [PIC 1995 Refugee County Plan] Resolution approving the San Francisco 1995 Refugee County Plan and authorizing the Private Industry Council of San Francisco, Inc. to apply for up to \$650,000 and to accept and expend those funds in line with that County Plan. (Private Industry Council) Referred to Government Efficiency/Labor Committee.

File 166-95-001. [Recovery Cost of Medical Care, Christine Wong] Resolution authorizing the Tax Collector to institute legal proceedings for the recovery of value of services in the amount of \$41,002.87, rendered at the City and County hospital facilities operated by the San Francisco Department of Public Health. (Tax Collector) Referred to Government Efficiency/Labor Committee.

File 172-95-038. [Contract Amendment, DPH - Dept. of Health Services] Resolution approving an amendment to an existing agreement with the Department of Health Services to reduce funding and extend the term and authorizing the Department of Public Health to accept and expend up to \$1,083,334 to develop a Medi-Cal Managed Care Local Initiative and to make corresponding changes to an existing contract with Progress Foundation as fiscal agent for use of these funds. (Also see Files 172-95-39, 172-95-40). (Department of Public Health) Referred to Government Efficiency/Labor Committee.

File 172-95-039. [Novation Agreement, DPH - DHS/Progress Foundation] Resolution authorizing the Director of Public Health to execute a novation agreement with Progress Foundation to substitute the San Francisco Health Authority for the City and County of San Francisco as a party to an agreement which provides fiscal intermediary services for the San Francisco Health Authority for State funding for development costs for the Medi-Cal Managed Care Local Initiative. (Also see Files 172-95-38, 172-95-40). (Department of Public Health) Referred to Government Efficiency/Labor Committee.

File 172-95-040. [Novation Agreement, DPH - Dept. of Health Services] Resolution authorizing the Director of Public Health to execute a novation agreement with the State Department of Health Services to substitute the San Francisco Health Authority for the City as a party to an agreement which provides State funding for the development of Medi-Cal Managed Care Local Initiative responsible for providing health care services to Medi-Cal beneficiaries. (Also see Files 172-95-38, 172-95-39). (Department of Public Health) Referred to Government Efficiency/Labor Committee.

File 186-95-008. [Seismic Safety Loan Program] Resolution authorizing the Chief Administrative Officer or his designee to act on behalf of the City and County of San Francisco in connection with the Seismic Safety Loan Program, as described in San Francisco Administrative Code Chapters 66 and 66A, and ratifying prior actions taken by the Chief Administrative Officer or his designee in connection with the Seismic Safety Loan Program. (Also see Files 97-94-5 and 170-94-2). (Chief Administrative Officer) Referred to Government Efficiency/Labor Committee.

Requests Granted

There being no objection, the Board directed the Clerk to comply with the following requests:

By Supervisor Migden, that City Attorney prepare a charter amendment for the March 1996 ballot which would remove the General Fund as MUNI's source of revenue and replace it with a dedicated source of revenue.

By Supervisor Alioto, that City Attorney prepare an ordinance establishing a local tax on tobacco products.

Motions Adopted

Motion that the Board adjourn its meeting this date out of respect to the memory of the following deceased:

David Shipsey (Supervisor Shelley)  
Enoch Bee (Supervisors Kennedy, Shelley, Hallinan, Alioto, Kaufman)  
Police Dog Sendy (Supervisor Hallinan)  
Richard Ferraris (Supervisors Hallinan, Alioto)  
Barbara E. Turner (Supervisor Leal)

File 2-95-32

Unanimously adopted by a rising vote.

ADJOURNMENT

There being no further business, the Board at the hour of 3:46 p.m. adjourned.

John L. Taylor, Clerk

N.B. This Journal of Proceedings sets forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on October 23, 1995

I, John L. Taylor, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Journal of Proceedings of said Board on the date stated and was approved as recited.

John L. Taylor  
Clerk of the Board of Supervisors











